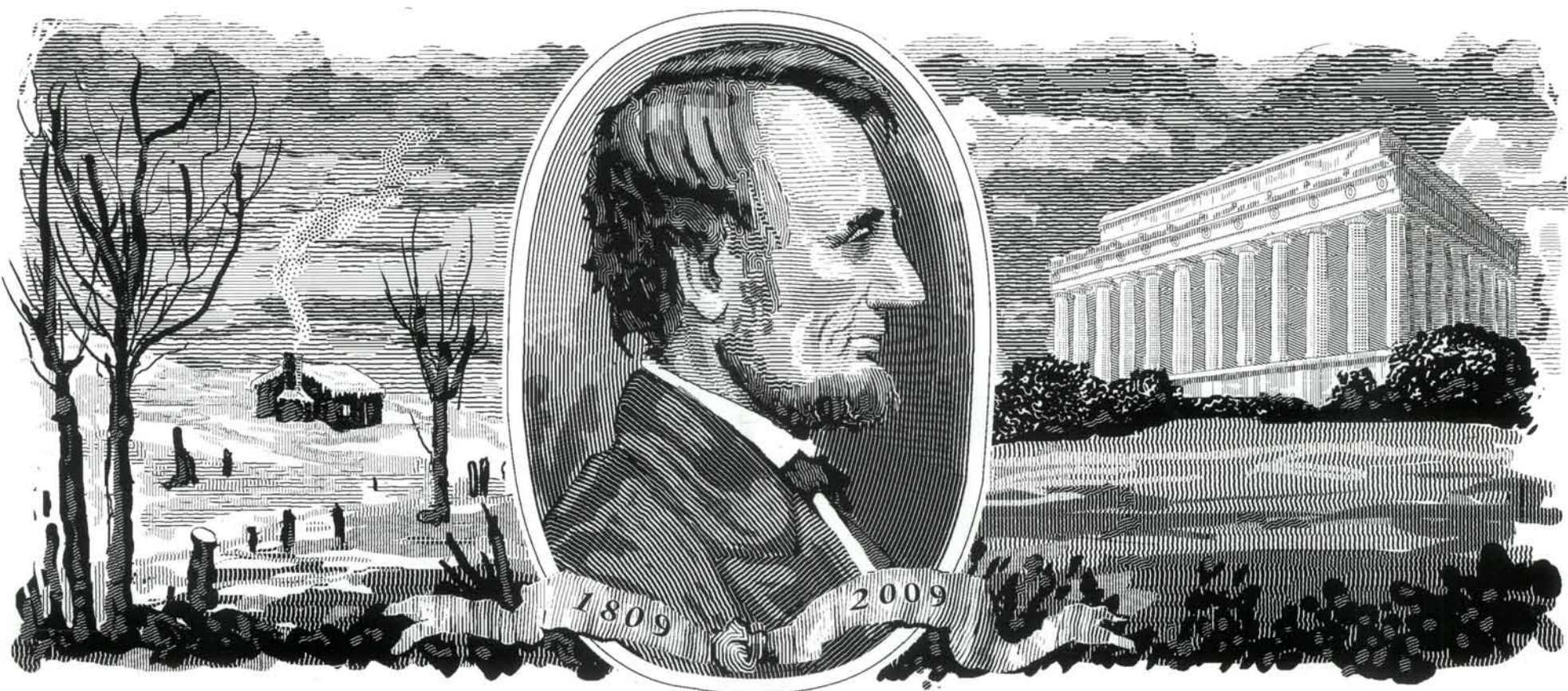


VOLUME IX, NUMBER 1, WINTER 2008/09

CLAREMONT

REVIEW OF BOOKS

A Journal of Political Thought and Statesmanship



LINCOLN BICENTENNIAL ISSUE

featuring Elliott Banfield, Martha Bayles, John Channing Briggs,
Christopher Flannery, Mackubin T. Owens, Diana Schaub, and Peter W. Schramm

William Voegeli:
Liberal Condescension

Abigail Thernstrom:
Race and Obama

Hadley Arkes:
William F. Buckley, Jr.



George Gilder,
Robert Higgs,
Stephen Moore,
& Alan Reynolds:
**Big Government
and the Bailout:
A Symposium**

Andrew E. Busch:
A Right to Health Care?

Steven F. Hayward:
Green Gloom

Barry Latzer:
Race and Crime

Michael Barone:
Richard Nixon

Bruce S. Thornton:
Clever Odysseus

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FROM THE EDITOR'S DESK

THE NEW PATRIOTISM

by Charles R. Kesler

AT A CEREMONY WHOSE OFFICIAL THEME WAS A NEW BIRTH OF FREEDOM, President Barack Obama wisely chose not to emphasize the similarities between himself and the 16th president. Oh, he used Lincoln's Bible to swear the bungled oath of office, and rode into town along the railroad route the Great Emancipator had taken. But he did not press the point, allowing the majestic facts to speak for themselves: the country's first African-American president, being inaugurated on the west front of the Capitol, overlooking the mall that sweeps past the Washington Monument to the Lincoln Memorial.

He had not been so restrained in his victory speech on November 4. Then, he quoted Lincoln's First Inaugural and, rather egregiously, the Gettysburg Address, assuring his ecstatic supporters that their efforts on his behalf "proved that more than two centuries later, a government of the people, by the people, and for the people has not perished from this earth." Implying what, exactly—that if John McCain had won, slavery and secession would have triumphed?

He struck a more graceful note, indeed many graceful notes, in his Inaugural Address. As an orator, Obama is inspirational rather than persuasive—his speeches contain few arguments—and his post-partisan message fits the moment. The key to his post-partisan appeal is the magic word "new." Obama sprinkled it liberally over his speech, in keeping with his campaign promise to inaugurate "a new politics for a new time." He dismissed the old politics as cynical and full of "recriminations and worn out dogmas." Yet what dogma is more worn out than the empty call for a new politics? And what will generate more cynicism than raising public expectations of government's efficacy far beyond what it can reasonably deliver?

In his First Inaugural, Lincoln promised not a new politics but government according to constitutional limits. The key word in his Address was not an adjective but a noun, not "new" but "Constitution," a term occurring in virtually every paragraph.

President Obama didn't mention the Constitution, at least explicitly. He did refer to the Founding Fathers who, he explained, "drafted a charter to assure the rule of law and the rights of man, a charter expanded by the blood of generations." But the context was foreign affairs, not domestic. He evoked the Constitution as the emblem of his post-Guantanamo

foreign policy in which "our safety and our ideals" would be easily reconciled. Though pledging that the U.S. would defeat its enemies (a shadowy "network of violence and hatred"), he looked forward to "a new era of peace" based on diplomacy, aid for poor nations, and global environmentalism. "For the world has changed," he noted, "and we must change with it." Countries and terrorists who think otherwise "are on the wrong side of history."

It will take hard work to remake America, he admonished. Yet to a surprising extent, history does the heavy lifting for Obama. He dismissed as "false" the choice between our safety and our ideals (as he defines them), between small and big government, between national sovereignty and international authority. We can have it all, it seems, because we're at a moment—that famous "moment" he brags about—when history has reconciled these competing notions for us. Change has already come.

THE MOST STRIKING ASPECT OF THE SPEECH WAS ITS REPEATED INVOCATIONS of the American Founders and the virtues of the American character. These sentiments lent dignity to the Address and pleased conservatives who didn't grasp Obama's ulterior motive: to recapture patriotism for the Left and restore the Democrats as a (actually, *the*) patriotic party. This is not your Founding Fathers' patriotism but (inevitably) a "new spirit of patriotism," meaning that we have to "pitch in and work harder and look after not only ourselves, but each other." (That's from his election night speech.) The old patriotism, he implied, while perhaps good in its day, was insufficiently redistributionist, forward-looking, and cosmopolitan for today's needs. The old virtues and values like honesty, courage, and patriotism are "true," then, not in themselves so much but for pragmatic reasons: they are indispensable to the vital and continuing work of remaking America and, indeed, the world. Our deepest loyalty should be to this future and therefore more perfect Union, not to America as it is or ever was.

The "true genius of America," President Obama likes to say, is "that America can change." Lincoln would have asked, for better or worse? We shall see.

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Publisher: Brian T. Kennedy
Senior Editor: Christopher Flannery
Managing Editor: John B. Kienker
Associate Editor: Kathleen Arnn
Contributing Editors:
Joseph Tartakovsky, William Voegeli
Editorial Assistants:
Patrick Collins, Daniel O'Toole,
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CORRESPONDENCE

TAMING LEVIATHAN

William Voegeli offers a rare view into the realities of public finance and especially the way in which entitlements are edging out discretionary spending ("Reforming Big Government," Fall 2008). In their frustration, politicians may well escalate their attacks on higher earners now—class warfare being a favorite substitute for the reform that Voegeli so sensibly calls for. It's important to note that the distribution of who pays taxes, and what share of those taxes, is different today than what it was in the 1980s. Then, because of inflationary bracket creep, many Americans found their income subject to high tax rates. In 1980 the top 1% of earners paid 17% of the tax. In 2005, that group paid closer to 40%.

In terms of tax distribution our current period is not like the late 1970s, when out-of-power Republicans were looking for a new issue. Today is more like the 1930s, when the income tax was a "class tax" shouldered by a very few higher earners. Franklin Roosevelt found the wealthy to be an easy target. Before reelection in 1936 he crowed at Madison Square Garden, "I welcome their hatred," and said that the forces of selfishness would discover in his second term that they had "met their master." As a result of such hostility, and the policies that go with it, the Depression lasted longer than it needed to.

Another six months of our own recession, and the American stage will be set for more such drama. What a waste.

Amity Shlaes
New York, NY

William Voegeli does an excellent job of demonstrating conservatives' failure to shrink the welfare state. But his ultimate conclusion, that the Right should simply surrender and accept the welfare state in exchange for a vague hope that

liberals will be willing to restrain its growth and make it more efficient, is mistaken.

First, there is no evidence to suggest that if conservatives agree not to try to roll back the welfare state, liberals will agree to restrain its growth. More likely, conservatives will simply become involved in a bidding war, in which they inevitably will look like the less caring party. Having surrendered on principle, they will be left with little more than arguments about efficiency or limited resources. That sort of green eye-shades conservatism seldom stands up against the Left's call for greater compassion. When a government program is in place, it exists for better or worse. When conservatives concede a role for government on an issue, the precedent exists, for better or worse.

Second, the damage done by the welfare state is not just a matter of the amount of money spent. Many of the programs themselves are harmful, creating incentives that encourage people to behave in ways that ultimately harm both themselves and society. What's more, to the extent that the welfare state expands, civil society contracts. There is ample evidence, for example, that increases in government welfare reduce private charitable giving. Social Security diminishes opportunities for private retirement savings. Medicaid and the State Children's Health Insurance Program (SCHIP) displace private health insurance. Rolling back the welfare state would do more than preserve scarce resources—it would provide a positive benefit to society.

Finally, it is important to note that Voegeli ignores any consideration of liberty. In the end, that is what politics is all about. Barry Goldwater used to say, "The conservative's first concern will always be, am I maximizing freedom." The welfare state leaves us all less free, and therefore deserves to be opposed on principle.

And principle matters. Martin Luther King, Jr., once said, "There comes a time when one must take a

position that is neither safe, nor political, nor popular—but one must take it simply because it is right." In attempting to roll back the welfare state, conservatives may not be any more successful in the future than they have been in the past (though how will they know unless they try), but they should stand for limited government and individual liberty simply because it is the right thing to do.

Michael Tanner
Cato Institute
Washington, D.C.

William Voegeli replies:

Amity Shlaes and Michael Tanner offer important thoughts about the choices that lie ahead for liberals and conservatives, respectively. I join Shlaes in her apprehensions that liberals, restored to power, will have learned nothing and forgotten nothing. The show-trial congressional hearings on the financial industry directed by Rep. Torquemada Waxman even before the November elections indicate the enduring appeal of the idea that wealth causes poverty, and malefactors of great wealth cause economic downturns. The posse's determined but pointless hunt for the villains who caused the current recession will make the restoration of prosperity more difficult, and financial regulatory reforms that are beneficial rather than gratifyingly vindictive less likely.

Tanner's critique of my argument raises the question of whether conservatives can learn when they need to. Specifically, it raises the question of whether there can or cannot be libertarian prudence and statesmanship.

Principle matters, he says. This is true, but principle is not all that matters. In addition to the devotion to wise and good principles, statesmanship requires a subtle understanding of all the relevant political realities on the ground, which will inform patient and shrewd efforts

to realize those principles in the ways and to the extent that those realities allow. The more distant goal is to change the political realities to make them increasingly amenable to the highest principles.

William Lloyd Garrison and Abraham Lincoln both believed that slavery was evil. For Garrison this principle was a necessary and sufficient guide to political action, while for Lincoln, who aspired to be a statesman rather than an agitator, it was merely necessary. Doing good about slavery required, additionally, coming to grips with the complex political realities of America in the 1850s. Feeling good about opposing it required only the incessant denunciation of slavery, and of the Constitution for countenancing it, and Garrison eagerly denounced both.

Tanner criticizes me for urging conservatives to "simply surrender," calling on them, instead, to "stand for limited government and individual liberty simply because it is the right thing to do." The world is complex, however, not simple. Last year, Tanner's colleague at the Cato Institute, Tyler Cowen, described the "paradox of libertarianism": "The more wealth we have, the more government we can afford." An avalanche of evidence from around the world shows that liberty promotes prosperity, and prosperity promotes the growth of government. Cowen calls this a "package deal," and says, "libertarianism is in an intellectual crisis today" because its response to this reality "is simply to wish that the package deal we face [wasn't] a package deal." Neither wishing nor the proud commitment to political irrelevance will change the fact that, in Cowen's words, "the welfare state is here to stay, whether we like it or not."

By contrast, Tanner's political advice rests on an unfalsifiable proposition: the welfare state *will* crumble if conservatives push against it hard enough, so the continuing existence and growth of the welfare state proves only that conservatives have been slacking

off and need to redouble their efforts. The point of such a proposition is that it can never be disproven, of course, but Cowen's paradox strongly argues that the more urgent need is for conservatives to reassess intelligently the long, twilight struggle against the welfare state, rather than comfortably reiterate all their old talking points against it with increased vehemence. I agree with Tanner: in choosing whether to push harder for the quixotic goal of abolishing the welfare state, or think harder about how to reform it in order to reconcile it with the preservation of liberty, prosperity, and American self-government, conservatives should ask the question posed by Barry Goldwater: am I maximizing freedom?

ISLAMOPHOBIA

John Derbyshire's approving use of the word "Islamophobe" has tipped his hand in a profound way ("When Worlds Collide," Fall 2008). "Islamophobia" is a phony word, phonetically linked to "homophobia," conjured up by British Muslims in order to forestall any questions or concerns about Islam. Mr. Derbyshire dwells only on Islamic art and literature, and implies we would have been better off had Charles Martel lost the Battle of Tours in 722. That's like saying Europe would have been better off had Hitler won his war because the Nazis advocated health consciousness and organic foods.

Dave Petteys
Roxborough Park, CO

It is interesting that John Derbyshire does not believe that there is a cultural conflict between the West and Islam.

Mohammed is the most popular name for boys in Britain, and 19% of British Muslims believe terror is a legitimate political weapon. Birthrates are below replacement throughout Europe. The overall European Union birthrate is around 1.5 per woman. In Saudi Arabia, it is around 4. The aver-

age age in the E.U. is around 40; in Gaza it is around 15.

I'm not sure I'd be as complacent as Derbyshire. Islamic terrorism did not stop with September 11, and has already knocked out entire Western states (Spain, for example) from pursuing the War on Terror. As the years go by, the non-Muslim population of Europe will age and the Muslim population will stay very young.

I suspect Mr. Derbyshire will be in for a lot of unpleasant surprises over the next ten years.

Scott A. Joseph, M.D.
Bemidji, MN

John Derbyshire replies:

"Islamophobe" is a handy word for a clearly identifiable group: those who, as I said in my review, are "keen to tell us about the fundamental, irreducible wickedness of Islam and its founder." Things must have names, and this one seems apt to me.

The rest of Mr. Petteys's letter must refer to someone else's review. Not only did I not "dwell on Islamic art and literature," I barely mentioned them. Not only did I not "imply that we would have been better off had Charles Martel lost the Battle of Tours," I jeered at David Levering Lewis for implying it!

Similarly with Dr. Joseph, who asserts that "John Derbyshire does not believe that there is a cultural conflict between the West and Islam." Here is what I actually wrote: "the West is engaged in a critical civilizational conflict with the Muslim world. Whether or not we truly are in such a conflict is a large question all by itself. (My opinion: no.)" "Cultural" is not a synonym for "critical civilizational."

Joseph goes on to call me "complacent" about mass Muslim immigration into European countries. That's odd: the word "immigration" does not occur in my review. In fact my review has nothing to say about this matter at all.

I think mass Third-World immigration, including mass Muslim immigration, into Western

societies is a simply terrible idea, and have said so countless times in many forums. The books I was assigned did not deal with this topic, though, and so neither did my review. People with bees in their bonnets—obsessive Islamophobes, for example—will see what they want to see, but that is not my fault.

NATURAL RIGHTS AND HISTORY

In his review of Paul Gottfried's new book on postwar American conservatism, Douglas Jeffrey calls Gottfried's analysis "ultimately irrelevant" because it supposedly defends a "historicist" approach to the study of the Right ("Confused About Conservatism," Fall 2008). For Jeffrey, the attack on what Gottfried dubs "value conservatism" not only serves to undermine belief in the American Founding's highest tradition—the philosophy of natural rights—it also does nothing to contribute to an assault on conservatism's real enemy (as Jeffrey understands it)—the danger of moral relativism. Apparently, true belief in natural rights must shun any focus on the specificity of historic origins.

As a supporter of the natural right tradition in political philosophy (at least as articulated by the mainly Protestant founders of the republic), I find it perplexing that Jeffrey attempts to set up a questionable disjunction between historic particularity on the one hand and belief in natural rights on the other. Thomas Jefferson's commitment to "Nature's God" did not deter him from recognizing that different peoples and cultures might interpret what is "natural" in distinct ways, with varying results in historic experience. If rights were truly self-evident to all, as Abraham Lincoln once astutely observed, there would never be agonizing debates over their meaning! Natural rights, in short, still presuppose strong historic antecedents which are unique to particular civilizations.

As Gottfried persuasively showed in his study, the postwar

Right attempted to project the anti-relativist biases of the Cold War and post-Cold War periods upon the founding tradition, ignoring the historic context. Mr. Jeffrey's review is only the latest (and unintended) confirmation of Gottfried's thesis.

Grant Havers
Trinity Western University
Langley, British Columbia
Canada

Douglas A. Jeffrey replies:

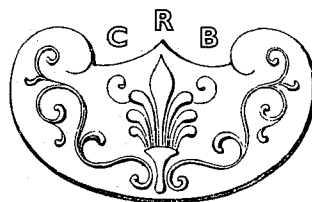
I agree with Grant Havers almost to the point of wondering why either of us bothers. Yes, the American Founding required certain preconditions, and those preconditions can be usefully identified through the study of history. Yes, comprehending self-evident truths requires understanding the definitions of their terms, which requires in turn a certain kind of education. But these were not the arguments of Gottfried's book; nor did I dispute them in my review.

Perhaps at the end of his letter Havers is suggesting that all understanding is bias, since history rather than nature is its ultimate basis. That at least would explain why he took time to write. But then why wouldn't he just say so? And of course no notion could have been more foreign to the (yes, mostly Protestant) American Founders with whose natural rights doctrine he professes to agree.

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THE ROOTS OF LIBERAL CONDESCENSION

Essay by William Voegeli

JOHN MCCAIN'S SELECTION OF SARAH PALIN TO be his running mate set off a fiercely contemptuous reaction. The chairman of the South Carolina Democratic Party said Palin's sole qualification for high office was that she had never had an abortion. The comedian Bill Maher scoffed at the idea that "this stewardess" would be first in the line of succession. The scorn moved the *Atlantic Monthly's* Clive Crook to write that "the metropolitan liberal, in my experience, regards overt religious identity as vulgar, and evangelical Christianity as an infallible marker of mental retardation. Flag-waving patriotism is seen as a joke and an embarrassment."

The denunciation of Palin took place 45 years after William F. Buckley, Jr., wrote: "I should sooner live in a society governed by the first two thousand names in the Boston telephone directory than in a society governed by the two thousand faculty members of Harvard University." From Richard Nixon's invoking the "silent majority" to Palin's campaigning as a devout, plain-spoken hockey mom, conservatives have claimed that they share the common sense of the common man. Liberals—from Adlai Stevenson to Barack Obama to innumerable writers, artists, and academics—have often been willing foils in this drama, unable to stop themselves from disparaging the very people whose votes are indispensable to the liberal cause. The elephant-in-the-room irony is that the liberal cause is supposed to be about improving the prospects and economic security of ordinary Americans, whose beliefs and intelligence liberals so often enjoy deriding.

Buckley's identification of the political fault-line running beneath the campus quadrangle was confirmed by "UD," a blogger for "Inside Higher Ed." Belittling Palin's degree in communications from the University of Idaho, UD concluded, "A

lot of Americans don't seem to *like* highly educated people, and they don't want them running the country." He continued:

We need to encourage everyone to be in college for as many years as they possibly can, in the hope that somewhere along the line they might get some exposure to the world outside their town, and to moral ideas not exclusively derived from their parents' religion. If they don't get this in college, they're not going to get it anywhere else.

Thus, higher education is remedial education, and the affliction it remedies is an American upbringing.

Prudent Populism

BUCKLEY, IT MUST BE NOTED, WAS AN IMPROBABLE champion of conservative populism. By 1963, still in his thirties, he had already created a public persona "that may be unique in our cultural history," according to a recent *Boston Review* article by the journalist William Hogeland. "Buckley's perfectly phrased insults and languorous polysyllabery made him the pop-culture model of intellectual, cultural, and verbal advancement, an unflappable connoisseur, guardian of the best ever thought and said by man." Even when siding with the masses against the professoriate, Buckley formulated his preference with the sort of fusty grammatical precision ("I should sooner live") appreciated in faculty lounges but alien to VFW halls.

We can make sense of this incongruity by moving beyond his famous line about the telephone directory to the rarely quoted explanation for *why* he would oppose being governed by eminent scholars:

Not, heaven knows, because I hold lightly the brainpower or knowledge or generosity or even the affability of the Harvard faculty: but because I greatly fear intellectual arrogance, and that is a distinguishing characteristic of the university which refuses to accept any common premise. In the deliberations of two thousand citizens of Boston I think one would discern a respect for the laws of God and for the wisdom of our ancestors which does not characterize the thought of Harvard professors—who, to the extent that they believe in God at all, tend to believe He made some terrible mistakes which they would undertake to rectify; and, when they are paying homage to the wisdom of our ancestors, tend to do so with a kind of condescension toward those whose accomplishments we long since surpassed.

Later in the essay, "The Aimlessness of American Education," Buckley elaborated on the "common premise" the university rejected: "The Ten Commandments do not sit about shaking, awaiting their inevitable deposition by some swashbuckling professor of ethics. Certain great truths have been apprehended. In the field of morality, all the basic truths have been apprehended."

Buckley's position, then, is not really populist. The -ism of populism is the idea that the people are *inherently* more sound and virtuous than the elites. Buckley is saying, less categorically, that we live in an age when the people *happen* to possess better judgment than the professors. If the reverse were true, if the professors had more respect than the people for God's laws and tradition's wisdom, Buckley's argument would have favored entrusting government *pari passu* (as he would have said) to scholars instead of citizens.

What sets the people in the phonebook apart from the professors, according to this argument, is that they believe in and defer to profound truths existing outside of history. They are willing, furthermore, to accept that the "democracy of the dead," incorporating the cumulative judgment of people long gone and forgotten, might well have grasped those truths better than people, even very smart people, who happen to be alive at this moment.

The professors, by contrast, expect to be deferred to, not to be the ones deferring. Their "intellectual arrogance" is a consequence of the assumptions of progressivism, an -ism that treats progress as the fundamental reality. The belief in progress is the belief that the present is better and wiser than the past, and the future will be better and wiser than the present. Truths outside of history, such as the laws of nature and nature's God, either don't exist, can't be known, or don't matter. Unlike the Marxist, the progressive does not believe history is following a defined path to a specific, inevitable conclusion. Rather, the evolution of human society is constant and eternal. Its entirety is unknowable, the idea that it has an ultimate destination a complete misconception, but history's next phase can be discerned by some better than others.

By virtue of being highly educated, eminent scholars can see farther over the horizon than their countrymen, and mediate the transition from where we are to where we are going. The most important progressive, Woodrow Wilson, president of Princeton University and of the American Political Science Association before he became president of the United States, said that if a statesman is to be a leader he must assess "the preparation of the nation for the next move in the progress of politics." It's counterproductive for the statesman to lecture or hector, but the superiority of his insight into the direction of historical development is not in doubt: "The forces of the public thought may be blind: he must lend them sight; they may blunder: he must set them right."

Progressives and their liberal progeny have found it increasingly difficult to maintain a respectful attitude toward the citizens who need to be led to a better future, despite Wilson's own insistence on such respect for fellow citizens. "[N]o reform may succeed for which the major thought of the nation is not prepared," he wrote. "[T]he instructed few may not be safe leaders, except in so far as they have communicated their instruction to the many, except in so far as they have transmuted their thought into a common, a popular thought."

At one level, the problem is simply pedagogical. The professor cannot impart to the students lessons they are not equipped to absorb. The calculus lecture will fail, no matter how well it has been prepared, if it is delivered to students who can't multiply. The political leader, like the actor

or teacher, must know his audience—know its needs and its limitations.

Desire for Distinction

THE HARDER PART ABOUT FOLLOWING WILSON'S advice is political. The professor who tries to teach students lessons they are not prepared to learn runs the risk of being tuned out. In a democracy, the leader who tries to direct the many where they are not prepared to go runs the risk of being voted out. The leader needs to "test and calculate" the nation's readiness to move to its next stage of development, but he must do so "very circumspectly." The perfectly circumspect statesman will lead the people without their even realizing they have been led—persuading them not only to go to history's next destination, but also that it is exactly where they had been intending to travel all along.

The statesmanship Wilson called for is rare for two reasons. First, the circumspection he sought is hard to render. It requires penetrating discernment of the people's undefined aspirations, and then enormous subtlety in addressing the people so that they embrace, as their own idea, the leader's perception of "the direction of the nation's permanent forces."

Second, it is hard to *want* to render. Ronald Reagan used to say, "There is no limit to what a man can do or where he can go, if he doesn't mind who gets the credit." Not many people in different to getting the credit wind up in politics, however. The statesmanship Wilson described becomes more effective as the statesman becomes more self-effacing. The sort of leader happy to accept being forgotten by history and taken for granted by his contemporaries if it means making a big difference is rare, at best. Wilson himself found it hard to follow his own advice when it mattered. Georges Clemenceau's famous complaint that Wilson's Fourteen Points were four more than God handed down does not suggest that Wilson's peers found him diffident or circumspect.

The desire for distinction is not simply a problem for democracy, however, but a problem of democracy. People who have social ambitions, but not necessarily political ones, will find it gratifying to regard themselves and be regarded by others as among Wilson's "instructed few," and appalling to be lumped together with the uninstructed many. "Let me smile with the wise, and feed with the rich," said Samuel Johnson. In our age of widespread affluence, when people can be dangerously well fed without being rich, the desire to be numbered among the wise when smiles are shared becomes especially urgent. As Leon Wieseltier wrote about the controversial *New Yorker* cover depicting Michelle and Barack Obama as violent radicals, "The image was the creation of people for whom there is almost nothing more

mortifying than not being in on the joke. That is the bridge and tunnel of the soul."

Eminence Among Equals

ARISTOCRACY HASN'T SHOWN SIGNS OF staging a comeback since Tocqueville wrote *Democracy in America* 175 years ago. We should feel safer than he did, then, in taking note of its virtues. Rigid hierarchies often got things horribly wrong, conferring power and prestige on fools, thugs, and slobs, while consigning people who had much to offer to marginalized, precarious lives. There must have been something restful, however, about life in a society where people weren't constantly trying to prove themselves.

The only sort of aristocracy tolerable to a democratic age is a natural aristocracy, where earning eminence, an opportunity closed to none, is the sole path to it. The social aristocrat could take his position for granted; he lived in a society where everybody knew his place. The natural aristocrat, living in a society where everyone must secure and defend a place, can't take anything for granted. His need to evince the talent, taste, and intelligence to justify a place with the instructed few is as exacting, and exhausting, as the Calvinist's need to evince in this life the signs of grace that reveal a soul predestined to dwell with God in the next.

Joseph Epstein has written two books about the problem of eminence in a nation of equals. *Ambition* (1980) examines the tricky business of establishing a claim to be one of nature's aristocrats. *Snobbery* (2002) concerns the equally tricky business of asserting such a claim.

Ambition is hard because it's inherently difficult to make an impression on the world. Beyond that, ambition is tricky because we expect the natural aristocrat to resemble the social aristocrat, to show a winning effortlessness and an unruffled indifference to the opinions of the many. With the striver, however, we always see the wheels turning and sense the hunger.

In 1935 Franklin Roosevelt said, "Those words 'freedom' and 'opportunity' do not mean a license to climb upwards by pushing other people down." It turned out, contrary to the belief of many New Dealers, that America was not a "mature economy," where the nation's wealth, having already increased as far as it ever would, had to be administratively allocated lest it be fought over, viciously and destructively. Prosperity need not be a zero-sum game, but status can never be anything else. Part of our disapproval of ambition is defensive; the striver's success in climbing upwards may not push us down, exactly, but leaves us further from the top nonetheless.

As a consequence, writes Epstein, "ambition is increasingly associated in the public mind chiefly with human characteristics held to be



despicable." In addition to being aggressive, the ambitious person is "generally thought to be single-minded, narrowly concentrated in purpose, bereft of such distracting qualities as charm, sympathy, imagination, or introspection of the kind that leads to self-doubt." Consequently,

Perhaps the one novel that no serious writer in America would care to write today is one about a man who sets out to succeed in life and does so through work, decisive action, and discretion, without stepping on anyone's neck, without causing his family suffering, without himself becoming stupid or inhumane.... [I]t is a novel unlikely to get written so long as that other, more familiar novel—which has the ambitious man or woman confront society and either go under or win out only at the cost of his or her decency—provides, as it evidently does, so much comfort.

Harvey Mansfield observes that, in America, "the general rule for business and culture has been the one stated by Madison for politics: let ambition counteract ambition." The reliance on ambition to check ambition, however, cannot easily accommodate the disdain for ambition and the ambitious that Epstein describes. The

basis of that disdain is Rousseau's anathematization of the bourgeois, an idea that seems not to have crossed the Atlantic and cleared customs by the time the Constitution was written. According to Allan Bloom:

The word [*bourgeois*] has a strong negative charge, and practically no one wants to be merely a *bourgeois*. The artists and the intellectuals have almost universally despised him and in large measure defined themselves against him. The *bourgeois* is unpoetic, unerotic, unheroic.... [All] sorts of reforms are perennially proposed to correct his motives or counterbalance them.

For people who want to be rich, famous, or powerful, ambition will be required. For people who disdain these ambitions as bourgeois—vulgar, hollow, invidious—the reliance on ambition to curb ambition provides no reassurance whatsoever. Doing so only intensifies a competition that the Rousseauian critic of the bourgeois believes is fundamentally destructive, both to social harmony and individuals' psychological health. To counteract others' ambitions with one's own, for such a critic, is self-negating: even if you win, you lose, just by having been dragged into that contest.

Defined by Disdain

THUS, IF PATRIOTISM IS THE LAST REFUGE of a scoundrel, snobbery is the last refuge of the liberal arts major. The striver may wind up with the bigger house, better car, and nicer vacations, but the very meretriciousness of these aspirations confirms the liberal arts major's belief in the striver's inferior taste and barren inner life. Conspicuous consumption advertises not the wealth but the cluelessness of the consumer who acquires to flaunt. It has been supplanted by conspicuous disdain for conspicuous consumption. The Toyota Prius is a testament to its driver's virtue, not a mark of his prosperity. Its distinctive homeliness has made it a hit, at a time when Honda has cancelled production of the hybrid version of the Accord: it turned out nobody wanted to buy a hybrid that was indistinguishable from an iceberg-melting V-6.

In some ways, the liberal arts major's path has grown less steep. As David Brooks showed in *Bobos in Paradise* (2000), the new bourgeois bohemians have figured out a way to have their pesto and eat it, too. They can have nice homes, cars, clothes, and vacations—as long as all those consumption items are ones that the Babbitts wouldn't buy, wouldn't like, and whose appeal

they'd find mystifying. The Bobo can pay for his socially correct lifestyle by working in a socially correct career—in Silicon Valley, a public-interest law firm, a start-up involved with the internet or renewable energy; anything where work “becomes a vocation, a calling, a métier,” according to Brooks.

In other ways, however, the rise of the Bobo has only made life harder for the liberal arts major. *Everything* signifies. The wrong address, career, alma mater, car, accent, or attitude could undermine his claim to be among the instructed few. It's harrowing, and it's exhausting.

In *Nation of Rebels* (2004), Joseph Heath and Andrew Potter argue that taste is a “positional good.” By “reproducing status hierarchies,” good taste “confers a sense of almost unassailable superiority upon its possessor.” Furthermore, they argue, good taste is mostly a matter of good distaste: the positional value of denigrating the wrong things is more important, and more reliable, than appreciating the right things. The only status advantage to be gained by liking Disney World and NASCAR comes from liking them *ironically*, conveying that you're in on the joke. As the author Tad Friend has argued, this desperate business of showing the world you have the aesthetically correct vantage point on popular culture “is rare among those who genuinely respect high art,” since they find the alternatives to what they care about uninteresting, but also unthreatening.

Our age has seen political disdain become seamlessly integrated into cultural disdain. The prominent novelist E.L. Doctorow showed the way in 1980 when he wrote that Ronald Reagan had grown up in “just the sorts of places [small towns in Illinois] responsible for one of the raging themes of American literature, the soul-murdering complacency of our provinces.... The best and brightest fled all our Galesburgs and Dixons, if they could, but the candidate was not among them.” Reagan did attend college, but not the kind that would have given him some exposure to the world outside the soul-murdering towns where he grew up, and to moral ideas calling into question his parents' religion. Instead, wrote Doctorow, a “third-rate student at a fifth-rate college could learn from the stage, the debating platform, the gridiron and the fraternity party the styles of manliness and verbal sincerity that would stand him in good stead when the time came to make his mark in the world.” Achieving success in his first job out of college, as a radio announcer in Des Moines, Reagan made a number of local speaking engagements, “giving talks to fraternal lodges, boys' clubs and the like, telling sports stories and deriving from them Y.M.C.A. sorts of morals.”

We see here all the basic elements, employed for the past 28 years, of liberal condescension. Every issue of the *New Yorker*, *Vanity Fair*, or

Rolling Stone makes clear that the policy positions of George W. Bush, Republicans, and conservatives in general are wicked and stupid. The real problem, however, is that everything about these people—where they reside, what they believe, how they live, work, recreate, talk, and think—is in irredeemably bad taste. To embark on a conversation with one of them, based on straight-faced openness to the possibility of learning something interesting or important, would be like choosing to vacation in Wichita instead of Tuscany.

Common Sense

POLITICAL PARTIES HAVE TRADITIONALLY been coalitions held together by beliefs and interests. The modern Democratic Party may be the first where the mortar is a shared sensibility. The cool kids disdain the dorks, and find it infuriating and baffling that they ever lose a class election to them.

This disdain is not only inefficacious, however, but unsatisfying. The problem with the superior attitude—either you get the joke, or you are the joke—is that the people being condescended to probably aren't smart enough to realize that they are being mocked. The novelist Jane Smiley calls this “the unteachable ignorance of the red states.” When the instructed few can't lead the uninstructed many by means of Wilsonian circumspection, or cow them into submission using condescension, the fallback tactic is *épater la bourgeoisie*.

Intellectuals are the point of the spear. Richard Hofstadter devoted a book in 1963 to examining *Anti-Intellectualism in American Life*. He was a war correspondent who confined his reporting to the shots fired in just one direction, however, saying nothing about anti-Americanism in intellectual life. Part of that anti-Americanism is to equate intellectual seriousness with the European disdain for America as a society more barbaric than civilized. A film producer, interviewed on the Upper West Side by the *New York Times* the day after the 2004 election subscribed to this view. “New York is an island off the coast of Europe,” she said, explaining how John Kerry could lose a national election while winning 83% of the votes in Manhattan. Her remark echoed the famous comment by Pauline Kael, the *New Yorker* film critic, to the Modern Language Association a few weeks after the 1972 election: “I only know one person who voted for Nixon. Where they [Nixon's supporters] are I don't know. They're outside my ken. But sometimes when I'm in a theater I can feel them.”

Another part of the program is to confound the complacent assumptions of American patriotism. Not only has America's past been bloody and shameful in ways the uninstructed few must be made to realize, but the supposed

depredations of America's “enemies” are, upon examination, understandable and even admirable. Mark Lilla's book, *The Reckless Mind* (2001), examines such “philotyrannical intellectuals.”

The late Susan Sontag was forbiddingly erudite—an essayist, novelist, playwright, and critic. There's not a community college dropout in America, however, gullible enough to have traveled to Hanoi and reported back, as she did in 1968, “The North Vietnamese genuinely care about the welfare of the hundreds of captured American pilots and give them bigger rations than the Vietnamese population gets, ‘because they're bigger than we are,’ as a Vietnamese army officer told me, ‘and they're used to more meat than we are.’”

Three additional decades of reading, writing, and reflecting did not enhance Sontag's judgment. Her famous reaction to 9/11 was,

Where is the acknowledgment that this was not a ‘cowardly’ attack on ‘civilization’ or ‘liberty’ or ‘humanity’ or ‘the free world’ but an attack on the world's self-proclaimed superpower, undertaken as a consequence of specific American alliances and actions?... In the matter of courage (a morally neutral virtue): Whatever may be said of the perpetrators of Tuesday's slaughter, they were not cowards.

Stipulated, then: slitting the throats of airline crew members to carry out a suicide bombing is an act of bravery.

By the same token, whatever the correct assessment of Sarah Palin's abilities and limitations, it's impossible to imagine that it would have taken her 20 years of close contact with the Rev. Jeremiah Wright to notice that he sincerely believes a number of toxic, lunatic ideas. The thread connecting all of these—that 9/11 was a minor incident compared to the terrorism undertaken by the U.S., that AIDS was inflicted on Americans through deliberate government policies, that Louis Farrakhan is one of the greatest leaders of the 20th century—is that America is a wicked, contemptible place, and there is no such thing as an excessive criticism of it. Barack Obama's degrees from Columbia and Harvard law school may be proof of intellectual agility, but do not guarantee good sense. For this, as William Buckley suggested 45 years ago, we are better advised to rely on graduates of the University of Idaho, or even the opinions of stewardesses.

William Voegeli is a visiting scholar at Claremont McKenna College's Henry Salvatori Center and a contributing editor to the Claremont Review of Books. This essay is part of the Taube American Values Series, made possible by the Taube Family Foundation.



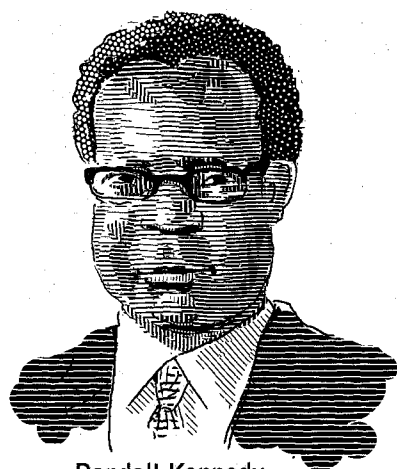
Book Review by Abigail Thernstrom

GETTING BEYOND RACE

The Race Card: How Bluffing About Bias Makes Race Relations Worse,
by Richard Thompson Ford. Farrar, Straus, and Giroux, 400 pages, \$26

Sellout: The Politics of Racial Betrayal,
by Randall Kennedy. Pantheon, 240 pages, \$22

A Bound Man: Why We Are Excited About Obama and Why He Can't Win,
by Shelby Steele. Free Press, 160 pages, \$22



Randall Kennedy



Richard Thompson Ford



Shelby Steele

WE LIVE IN RACIALLY INTERESTING times. As I write, Barack Obama, a charismatic figure who ran an almost flawless campaign in an economically and politically felicitous context, has just become the first black leader of the free world. His election was the end of an era and the welcome beginning of a new one. Whatever one thinks of his politics, his stunning success—almost unimaginable just a few years ago—is a historic turning point. Integration was the aim of the civil rights movement in the 1950s and much of the 1960s, and, by the ultimate test, American politics is now integrated. Indeed, Obama's racial identity was an advantage on November 4. The black vote rose about 15 points, and exit polling suggests white racists were outnumbered by whites who thought his race an attractive feature.

Winds of change are also blowing through the intellectual world. Old assumptions about white racism and black victimization are still very much alive, but they are finally being challenged by important black writers who see an altered racial landscape and grapple in fresh and interesting ways with the problems it poses. With President Obama and a crop of maverick black authors, we are witnessing what might be called the incredible shrinking of Jesse Jackson

and his allies—the civil rights community, the mainstream media, and the politically timid who fear that someone, someday, might play the race card and destroy their careers.

Thus after many decades, the hold of the thought police who stifle dissent from conventional civil rights orthodoxy has clearly been broken. Richard Thompson Ford, professor of law at Stanford University, writes about the concept of discrimination, which by now is in a "state of crisis." "When does a grievance deserve the special and unequivocal condemnation reserved for racism?" he asks. In today's racially complex setting, the answer is "getting more convoluted and confusing." Randall Kennedy, also on the Left but known for his intellectual independence at Harvard Law School, focuses on the notion of the black sellout—blacks as traitors to their race, a charge often leveled at him. And Shelby Steele, an author familiar to many CRB readers, explores the "complex" biracial identity that he and Barack Obama share. These are important books, and also good reads—written in lively, engaging prose.

Barack Obama is explicitly the subject only in Shelby Steele's *A Bound Man*, but all three authors are concerned with the racial subtext of a presidential campaign that tried to ignore the

unresolved American Dilemma. Obama could largely avoid the question of race; his color, in itself, spoke volumes about racial progress in a racially-challenged nation. Richard Thompson Ford writes about the dangerous impact of racial "gripes...as common as face cards in a pinochle deck," but by the standards of most black politicians, Obama ran a largely gripe-free campaign—as he had to to if he wanted to survive politically.

KENNEDY STARTS WITH A FUNDAMENTAL question raised by the figure of Obama: "Who is 'black?'" Early in the campaign, readers may remember, at least some black opinion-makers saw him as not authentically black—a man who, as prominent writer Debra Dickerson put it, might "go Tiger Woods on us and get all race transcendent." She was reluctant, she said, "to point out the obvious: Obama isn't black." It wasn't a new issue. Former Black Panther member Bobby Rush crushed Mr. Obama in a 2000 primary election, depicting him as "not from us, not from the 'hood." He was ostensibly organizing the people, yet still too Harvard. In fact, too-Harvard was undoubtedly one of the secrets of his later success. The racially ambiguous image he projected—black and not-black—

surely helped attract white votes. And with his cultural style, he easily passed the "Guess Who's Coming to Dinner" test.

Obama projected a racially ambiguous image, but he was not himself ambivalent about his racial identity. He chose to call himself black, notes Kennedy. "After all, despite his appearance, he could have done what Tiger Woods and many other multiracial Americans have done—opted for a designation other than 'black' or 'African American.'" And he could have chosen a place of worship other than Trinity Church, and married white. His mother and grandparents who brought him up were white; living in Indonesia and Hawaii, he came to age without the painful experience that so many native-born African-Americans share. But, as Steele says, "the need to belong is one of life's more powerful inclinations." And as Obama himself wrote in *Dreams from My Father* (2004), "Wandering through Altgeld or other tough neighborhoods, my fears were always internal: the old fears of not belonging."

The luxury of choice—of deciding whether race is a home in which you really want to live—is of course quite new in America. And the deck is heavily stacked against such self-definition. Even now, it is hard to escape the world of the boxes demanding you identify yourself for one purpose or another. Although in crucial ways Obama did consciously reshape himself to become unmistakably "black," as Kennedy argues, it is also the case that racial and ethnic labels remain deeply ingrained in the American way of life.

STEELE, WHO HAS ALSO STRUGGLED WITH "authenticity," recalls a 60 *Minutes* interview in which Obama responded to a question about his mixed race. "He was 'rooted,'" he said, "in the African-American community, but he was also 'more than that.'" What, however, did "African-American community" mean? One can see oneself as black (as Steele undoubtedly does) yet not "rooted" in a racially defined community. In fact, Kennedy depicts the "community known as Black America" as "imagined."

And yet, imagined or not, most blacks believe in it, reinforcing the notion of African-Americans as still "other." The perceived reality of a black community invites widespread anxieties about racial betrayal; hence the specter of the sellout, which haunts black discourse. The consequence is a serious curtailment of freedom for most blacks. For those with political aspirations, appealing to white folks suggests a questionable commitment to the values of the group, as Kennedy notes. Blacks are admonished by what one journalist has called the "Soul Patrol" to stay black, which means, among other things,

remaining true to liberal civil rights orthodoxy: a commitment to affirmative action, for instance, is a litmus test of belonging. Certainly "sleeping white" is evidence of collaboration with the enemy—although Frederick Douglass himself had a white (second) wife. In Obama's case, marrying a white woman would have been politically problematic. A substantial number of black voters would likely have stuck with their first choice: Hillary.

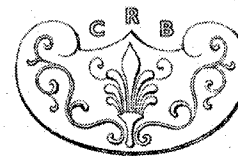
Not all blacks embrace the value of racial solidarity, Kennedy writes. Some African-Americans "reject the notion that a person must or should join and assist the racial 'team' to which society has assigned them.... They decline to be 'race men' or 'race women' and opt instead to associate themselves with voluntary groupings that are free from the bounds of racial ascription." Although he sees himself as part of the "team," he advocates a conception of racial citizenship in which choice is always an element; "all Negroes should be voluntary Negroes." (Kennedy's interesting use of the term "Negro" is, of course, a signal in itself of intellectual independence.)

It is a radical notion—an important break with most blacks who, as he says, want to retain "a sense of group solidarity and its attendant manifestations in social, cultural, and political life (historically black colleges and universities, black student unions, black fraternities and sororities, black professional associations, etc.)." If more widely embraced, Kennedy's views would have important implications for the higher education landscape—for the future of policies that sanction separation on the assumption that all blacks belong to a culturally distinctive group, as well as admissions policies that give significant weight to racial identity.

NOT ONLY BLACK STUDENT UNIONS AND black sororities, but also multicultural programs in institutions of higher education deeply trouble Richard Ford. In the division between those who believe in social integration (a shrinking group) and those who favor racial solidarity and cultural autonomy, he places himself squarely in the former, now unfashionable, camp. In doing so he returns to the stress on individual freedom and the belief in blacks and whites as brothers under the skin that ran from Gunnar Myrdal to Dr. Martin Luther King, Jr.

In the 1980s, Ford writes, multiculturalism became "a potent force that remade the core curriculum of many universities." But embracing the salience of racial difference is dangerous, he argues. Those who question multiculturalism—and its assumption that every culture is equally precious—find themselves condemned as racist. The race card is carelessly played, ignoring a fundamental fact: "All education involves social-

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ization as well as the acquisition of new knowledge." By "socialization" he means cultural assimilation, which he describes "as valuable a credential as any college degree." This point, too, is a return to Gunnar Myrdal who (in *Kontakt med Amerika* (Contact with America), a small volume that predated *An American Dilemma*), viewed schooling in conformity to the American Creed as the foundation upon which a racially just society would be built.

Ford wants a return to the ideal of integration, but most importantly, he wants an end to conversation-stopping charges of racism regarding issues over which reasonable people can differ. Both he and Kennedy urge more nuance and civility in the national conversation on race, in a nation much changed since the civil rights movement. As Ford puts it: The terms racism and discrimination no longer have a "single clear and agreed-upon meaning.... Self-serving individuals, rabble-rousers, and political hacks use accusations of racism...to advance their own ends."

By now, as he states, racial bias has become "unlawful, immoral, and perhaps more important, déclassé." And yet "in our racially charged society, a minor snub or simple lapse of etiquette may be misinterpreted as a racial insult." Jesse Jackson did not hesitate to compare "the temporary shelters in the New Orleans Superdome [after Hurricane Katrina] to the hull of a slave ship." Subtle and complex problems that have multiple causes (inner-city poverty, disproportionately high black incarceration rates, and the like) evoke "the language of civil rights—'racism,'

'discrimination,' 'bias,' 'bigotry.'" Such misleading rhetoric is a potent weapon; those whom he calls the "antiracists" have "the full coercive power of government and the weight of popular consensus" behind them. That power "attracts the unscrupulous opportunist along with the sincere victim and the honest petitioner."

"Overuse and abuse of the claim of bias is bad for society and bad for social justice," Ford argues. "The accusation of bigotry inevitably provokes defensiveness and resentment rather than thoughtful reaction"—a point many whites (who have little patience with "black radical agitators and malcontents") express privately. Playing the race card is particularly troubling to Ford—a man of the Left—because he believes that "racial segregation seems about as certain as death and taxes," and fears a backlash in which problems like residential separation, health care, and job security will end up ignored.

STEELE'S BOOK ON OBAMA, PUBLISHED EARLY in the campaign, argued that he couldn't win; he was a "bound man." His chosen African-American identity bound him to a worldview, the center of which was white oppression. But in fact he rose to the top, Steele argues, by having absorbed his mother's "rigid creed" of personal responsibility for his fate. "It was not a 'Black Value System' that prepared [him] so well for the world.... It was not black anything."

Steele was too pessimistic about Obama's political prospects, but right to finger a bind Obama may not be able to escape. Polling data

depict a large number of blacks deeply alienated from American society and profoundly distrustful of the white majority. Will Obama decisively break with Jesse Jackson and Al Sharpton, and, building on his own experience, use his bully pulpit to teach that black progress depends on children working hard in school, rather than on new government programs? Will he have the courage to say American society is not fundamentally unfair to blacks? If he does, our first black president may eventually be seen by many black voters as a Bill Cosby-style "sellout"—not the man they voted for, and not the man they want.

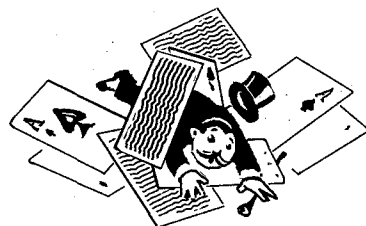
Let's hope not. Black estrangement from American mainstream culture is arguably our most serious race-related problem. A recent CNN poll found that 69% of African Americans believe the vision of which Dr. Martin Luther King, Jr. spoke in his 1963 "I Have a Dream" speech has now been fulfilled. Black spirits have been rising at a remarkable pace. If President Obama can encourage the new black optimism and alter the racial conversation, joining the black authors whose works I review here in breaking new ground, we will be on a very different road than we have been in the past.

We live in racially interesting times.

Abigail Thernstrom is an adjunct scholar at The American Enterprise Institute and vice-chair of the U.S. Commission on Civil Rights. She is the co-author (with Stephan Thernstrom) of *America in Black and White: One Nation, Indivisible* (Simon & Schuster).

GOVERNMENT AND THE ECONOMIC CRISIS:

A SYMPOSIUM



Editor's note: On October 3, 2008, President George W. Bush signed into law a \$700 billion emergency bailout plan for the banking industry. Initially passed to allow the U.S. Treasury to purchase distressed mortgage-backed securities, the bill was soon used to inject credit directly into banks and other parts of the ailing economy. President Barack Obama and the Democrats are planning a new fiscal stimulus package even costlier than the bailout. The *Claremont Review of Books* asked four leading thinkers to explain the current economic situation, and to assess the bailout and what it will mean for the future of constitutional government.

George Gilder

IN THE CURRENT FINANCIAL AND POLITICAL circus, with Fabian fantasists and climate cranks now in control of economic policy, the mainstream media join Ivy League sages in condemning Adam Smith's invisible hand. Free-market ideology has blinded conservatives, say many sophisticates, to a crime wave on Wall Street, as Adam Smith gives way to Bernie Madoff as the epitome of capitalism.

For perspective on what is going on, however, we should contemplate the view of Richard Armey, the crusty cowboy who long served as Republican majority leader and economic guru in the House, who pointed out to me more years ago than I want to recall, that economics has more hands and feet, visible and invisible, than the media imagines. Confounding the market's invisible hand during the past decade's financial follies were the government's very visible handouts. These outlays massively and conspicuously supported popular causes and constituents: low-income mortgage seekers, affirmative action litigators, failed farmers, Detroit automakers, ethanol junkies, sugar beet shysters, hustlers of solar power and windmills, socialist educators, weather bores, and other altruistic but addled government dependents, plus all the interventionist CRAP (Community Reinvestment Act programs) that mandated the suspension of credit rules for politically favored home buyers. Much of this murky activ-

ity was guaranteed by the government, which prompted orgies of overreach: the "assets" of Fanny Mae and Freddy Mac rose from a few hundred million dollars to five trillion in a decade or so. Democrats fervently celebrated all these visible handouts and today wish to expand them hugely.

Meanwhile (in perhaps Armey's best trope) the *invisible foot* of government went to work. This millipedal regulatory force covertly kicks at the underpinnings of private economic activity by capriciously debauching the dollar; imposing onerously progressive tax rates on successful economic ventures and making investors eat the losses; fostering anti-business lawsuits and class action rackets; restricting access to energy resources; snarling international trade; and enacting ever more intricate mazes of contradictory laws and regulations with ever more acute moral hazard, assuring that the results of the intervention will be the opposite of its goals. The effect of these relatively inconspicuous activities is to unleash the *visible foot* of the market—all those bankruptcies and foreclosures—and increase demand for the very visible hand of government largesse.

In general, to rectify the situation, the invisible foot of government must be removed—regulations retrenched, tax rates reduced, tariffs eliminated, the value of the dollar restored. But instead conservatives have focused most of their energies attacking Leviathan at its strongest and most popular point: the visible handouts of gov-

ernment spending—earmarks, subsidies, and such—which matter relatively little if the invisible assaults are suppressed. Since the visible handouts cannot be reduced in a recession, the only spending cuts that actually happen as a result of the Republican complaints are in defense.

A few decades ago, supply-side economists, such as Arthur Laffer and Robert Mundell, and inspired journalists, such as Jude Wanniski and Steve Forbes, pointed out the politically feasible remedy. Lower tax rates and retrenched regulations would result in more revenues for the government and less need for visible handouts. Because this footloose outcome allows the expansion of government and the defense of the country while the private sector grows even more rapidly, it was extremely popular for a few years. Its truth, demonstrated globally (look it up), is incontrovertible. Supply-side policies enable the otherwise impossible combination of guns and butter: large defense efforts with low tax rates and rapid economic growth. Countries with low or declining tax rates can increase their government spending three times faster than countries with high or rising tax rates, because the low-tax countries grow six times faster than the high taxers.

Why then is this truth controverted today by all "reputable" economists? Even the disreputable supply-siders seem to concede to the Democrats that it is possible to increase revenues by increasing tax rates from current levels or to sustain social security and medicare without

reducing the payroll tax. The reason is that all economists have been tied to the procrustean bed of existing national models which exclude all the factors—economic growth, tax shelters, entrepreneurial innovations, transnational and interstate investment flows and demographic migrations—that register the supply-side effects. Meanwhile, the profession upholds the phantasmagorical models of demand-side economics. Because these models find no confirmation in reality—as Jean Baptiste Say proved centuries ago, demand is always and only a side effect of real supply—established economic theories are extremely difficult to learn and remember. You get Nobel prizes for minor and obvious insights in economic geography. Thus the exponents of the standard model are deeply threatened by any reality-based economics.

These experts are now completely in control of Washington, attempting to spend their way to political dominance, while taking well over half the voters off the federal tax rolls and giving actual taxpayers a greater incentive to hide and shuffle existing wealth than to earn or create new wealth. These measures will retard recovery from the recession and reduce revenues. But globalization means that entrepreneurial creativity—in which the United States is increasing its lead—can survive by adopting foreign locales and resources. Countries such as Israel (a global center of innovation) and Ireland (a low-tax haven), China (a manufacturing dervish), and India (ascendant in software) are taking the lead and will help capitalism survive the Lilliputians currently trying to ruin it in the U.S. What will matter, after all, is not whether President Obama approves of markets but whether markets approve of President Obama, who may think he has protected his future by buying off the middle class with tax rebates but will soon discover that his future will be decided by global markets for currencies and stocks.

George Gilder is chairman of Gilder Publishing, LLC, and a senior fellow at the Discovery Institute.

Robert Higgs

AS I WRITE, FINANCIAL MARKETS ARE extraordinarily volatile. The Dow Jones index of stock prices often leaps or plunges by hundreds of points in a single day, and broader indexes fluctuate similarly. Such extreme, erratic variations reflect the great uncertainties that economic developments and government actions have created in the minds of traders. The general public is becoming increasingly apprehensive about the economy's future. Unfortunately, the government's actions to date do not portend a bright future for the overall

economy, especially in the longer run, which policymakers are disregarding in their haste to bail out failing financial institutions.

Several important policies and economic developments contributed to the creation of the present troubles. For 60 years, the federal government has subsidized the "American dream" of nearly universal homeownership. Starting more than a decade ago, Congress and financial regulators put additional pressure on lenders to accommodate borrowers who did not meet long-established standards to qualify for a mortgage loan. In part because of this pressure, lenders greatly expanded their lending for high-risk subprime and Alt-A mortgages.

Loan originators could do so without losing sleep because in most cases they immediately resold the risky IOUs to others, especially to Fannie Mae and Freddie Mac, the giant government-sponsored enterprises that themselves were responding to the same pressures to widen the stream of mortgage lending. Fannie and Freddie joined forces with financial modeling wizards who devised new ways to slice, dice, and reconstitute the mortgage-backed loans into a bewilderingly complex array of financial derivatives for resale to investors. The wizards also invented credit default swaps as a means of insuring the holders of newly devised securities whose risk was difficult, if not impossible, to establish in actual market dealings.

None of these high-finance hijinks would have been nearly so inviting, however, had the Federal Reserve not undertaken, in response to the recession of 2001, to put in place a regime of exceedingly easy money and credit from 2002 to 2005. The upshot of this policy was a huge increase in the money stock, one measure of which (M2) increased by 35% between January 2001 and January 2006.

Eventually, when the unsustainable investments encouraged by the easy-money policy began to fail, especially in the housing industry, the whole house of cards—erected on the foolish assumption that housing prices would increase forever—began to crumble. Real-estate prices fell, mortgage borrowers defaulted, and lenders found themselves facing actual or potential insolvency all the way up the line. Naturally, these fair-weather capitalists immediately cried out to their friends in the federal government to rescue them. Heedless of what had created the debacle in the first place and fearful of its dire potential consequences, government officials intervened to bail out poorly managed banks and set in motion a partial nationalization of the banking and other industries. The government's commitments for cash infusions, loans, and loan guarantees have already reached the astronomical total of nearly \$8 trillion, and more commitments seem likely to follow.

Although the government promises that these measures will be temporary—its loans will be repaid, and the preferred shares it has acquired in banking and other corporations will eventually be sold—we may well doubt this promise. Strong pressures will be brought to prevent a return to the status quo ante. Many of the government's loans will not be repaid, and the government will have to take possession of the collateral—nonperforming mortgages and other obligations of little or no value. Stockholders will resist sales of the government's bank shares because of the negative effect on share prices. With government deeply entrenched in banking and other financial businesses, the president and members of Congress will swarm as bees to honey to turn the government's control in directions they consider favorable to their political prospects. In sum, the bailouts will almost certainly produce another turn of the ratchet toward permanently bigger government.

Robert Higgs is a senior fellow at the Independent Institute and the editor of the Independent Review.

Stephen Moore

RONALD REAGAN DECLARED IN HIS FIRST Inaugural Address that "our present troubles parallel and are proportionate to the intervention and intrusion in our lives that result from unnecessary and excessive growth of government." Those words were spoken in the midst of the greatest economic crisis since the Great Depression and are as relevant today as nearly three decades ago.

Three public policy blunders contributed to the current financial market meltdown. First was the disastrous decline in the value of the dollar during George W. Bush's presidency, particularly in his second term. When he was first elected, gold sold for \$300 an ounce. By 2007, it had soared to more than \$1,000 an ounce. This disastrous collapse in the currency helped contribute to the over-investment in housing that we are now paying a dear price for. The Bush Administration favored a weak dollar policy to help manufacturers. We can see how well manufacturers are doing today. Bush should have followed the Reagan-Volcker paradigm of a strong and stable dollar.

Second, the housing bubble was in no small part a function of federal policies such as the Community Reinvestment Act (CRA) and the explosive growth of Fannie Mae and Freddie Mac, which rewarded mortgage banks for bad and excessively risky lending policies. CRA created a culture of loose underwriting standards

that contaminated much of the mortgage lending process. It is doubtful that the bubble could have been so overinflated had Fannie and Freddie not stood by waiting to insure every undercapitalized loan that came their way.

More generally, the governmental expansion under Republicans in the last eight years has diverted capital from high-return to low-return expenditures. When President Bush entered the White House, the federal budget stood at \$1.9 trillion. By 2008, it stood at \$3.1 trillion and that was before the multi-billion dollar bailout packages. Those bailouts did not create the financial meltdown, but it is a good bet that they have contributed to the depths of our current problems and the stock market sell-off. We have robbed healthy companies of funds to pour money down the rat hole of failing industries like General Motors. For the cost of all federal bailouts we could have suspended the corporate income tax for a year, which would have been a powerful stimulant to growth.

Finally, the election of Barack Obama and the fear of his across-the-board tax rate hikes on capital gains, dividends, and small businesses have created the most bearish policy environment on Wall Street since the late 1970s. Investors are forward looking and they are seeing a tsunami of anti-growth policies. The proper response is to sell while you still can—and that is what investors have been doing en masse.

The solution is a flat tax that dramatically rewards investment and risk-taking and savings, and a broad reduction in government spending to free up resources for productive private spending. The Democrats are fixated on doing exactly the opposite. Good luck to them.

Stephen Moore is senior economics writer for the Wall Street Journal editorial page and co-author with Arthur B. Laffer and Peter J. Tanous of *The End of Prosperity: How Higher Taxes Will Doom the Economy, If We Let It Happen* (Threshold Editions).

Alan Reynolds

THIS RECESSION IS NOT JUST A U.S. PROBLEM, not just about housing, and not just financial. Consider each point, in turn:

Germany, France, Italy, Japan, Singapore, and Hong Kong fell into recession in the second quarter (arguably before the United States and United Kingdom) when the price of oil rose as high as \$145 a barrel. This was no coincidence. Soaring oil prices raise the cost of production and distribution for many industries, and reduce real household incomes and therefore consumption.

In 1983, economist James Hamilton of U.C. San Diego showed that “all but one of the U.S. recessions since World War Two have been preceded...by a dramatic increase in the price of crude petroleum.” By the year 2000 we had been through nine dramatic spikes in the price of oil, every one of which was soon followed by recession. Writing in the *Financial Times* on January 2, 2008, I suggested that “the U.S. economy is likely to slip into recession because of higher energy costs alone, regardless of what the Fed does” (and regardless of housing too).

Ten months later (November 8), the *Economist* noted that, “All three previous recessions came after housing booms and oil shocks.” They were talking about the U.K., but could have been talking about the U.S. Yet housing slumps can be a consequence of recession rather than a major cause. The housing bust in places like Detroit and Cleveland was not preceded by a boom.

Aside from hot spots in California, Nevada, Arizona, and Florida, the American housing boom was less exuberant than many others. On December 6, 2007, the *Economist* revealed that housing prices had increased 102% over the previous decade in the U.S., but 144% in France, 159% in Australia, 190% in Spain, 213% in Britain, and 240% in Ireland.

When the U.S. economy began to contract in 2008, the biggest drop in housing starts was

behind us. Falling residential investment subtracted more than a percentage point from real GDP growth in 2006 and 2007, but only half a point in the second and third quarters of 2008. By the second quarter of 2008, home prices were lower than a year earlier in ten states, according to the Office of Federal Housing Enterprise Oversight (OFHEO), but higher in 26 states.

Unbearable increases in the world prices of oil and metals are a better explanation of the recession’s geographical and industrial breadth, regardless of the added problems with housing and finance. And that, in turn, means falling prices of oil and metals are sowing the seeds for recovery in 2009—including a housing recovery.

What about finance? The November 10, 2008 issue of *Business Week* said, “Despite the government’s best efforts, it may be 2010 before U.S. banks are willing to lend freely again.” But bank lending was flat or down only between April and July of 2008. After that, the Fed’s weekly H.8 report showed bank loans rising steadily from \$6.91 trillion in July to \$7.27 trillion by late October. The sudden bankruptcy of Lehman Brothers caused money market funds to shun commercial paper for the few weeks ending October 1, but nonfinancial commercial paper outstanding rose 9% in the following five weeks. Interest rates on interbank loans (Libor) came down too. Even if more credit was a sensible solution to excessive debt, the “credit crisis” has been exaggerated.

By the time of the U.S. presidential election, the multi-causal global recession was half over. Because unemployment is a lagging indicator, unfortunately, we won’t hear that the recession has ended in 2009 until at least another few months have passed.

Alan Reynolds is a senior fellow at the Cato Institute and the author of *Income and Wealth* (Greenwood Press).



Essay by Andrew E. Busch

IS HEALTH CARE A RIGHT?



LAST OCTOBER, IN THE SECOND PRESIDENTIAL debate, Barack Obama declared that health care “should be a right for every American.” His electoral victory and the expansion of Democratic congressional majorities virtually assure that the debate over health care in America will heat up again. Liberals and conservatives will joust over a variety of arcane concepts—single-payer, play-or-pay, employer mandates, individual mandates, community rating, pre-existing conditions, health savings accounts, tax credits, risk pools. Beneath the minutiae, however, will lurk a philosophical dispute, framed by Obama’s assertion in the debate: is health care a “right”? With Americans deeply ambivalent about health care policy options, it is important to come to grips with the first principles that ought to guide policy. This requires us to engage in some serious thinking about rights.

Modern liberalism has staked much on the notion that health care is a right. Franklin D. Roosevelt declared it so in his 1944 State of the

Union message, when he included health care on the list of economic provisions that should form a “second bill of rights” parallel to our existing political one. Since then, several presidents have tried to father universal national health insurance, and Lyndon Johnson won enactment of Medicaid and Medicare. Politically astute liberals (including Roosevelt himself) have attempted to link the right to health care, like other positive economic “rights,” to the American political tradition: a natural right of some sort, or a civil right necessary to put into effect the natural right to life or the pursuit of happiness.

Natural or Civil Right?

CLEARLY, HOWEVER, HEALTH CARE IS NOT a natural right as the founders or John Locke would have understood it. In their view, natural rights exist prior to the formation of government. Since there is no government in the pre-political state of nature, there

cannot be a right to government-supplied health care in the state of nature. One has the right to speak one’s mind, to defend oneself, and to acquire property in the state of nature, but no one has the right to a free checkup at the National Health Service in the state of nature, because there is no National Health Service.

Nonetheless, perhaps health care could be regarded as necessary to effect the natural right to life or the pursuit of happiness, and consequently, it should be treated as a civil right. This formulation, too, is greatly flawed.

The first problem is that even if the right to life led to a positive government obligation to provide health care, that right would logically be restricted to medical actions essential to preserve life, especially emergency measures. Yet medical professionals already provide life-saving emergency care in practice, without a grand declaration of rights; in any event, such a limited guarantee is far from what policy activists have in mind. Likewise, if a civil right to health care derived from the pursuit of happiness, one would

have to show that it is positively correlated—perhaps even necessary—to the achievement of happiness. Yet this conclusion is surprisingly difficult to support. There are, as it turns out, a number of surveys that attempt to measure the happiness of people around the world. Residents of the U.S. tend to rank around 15th among the 90 countries typically surveyed. In recent surveys, 85% of Americans say they are personally happy or very happy. Consistently, a number of countries with universal health care (such as Denmark and Norway) rank ahead of the U.S., and a larger number of countries with universal health care (such as Great Britain, France, and Germany) lag considerably behind the U.S. in happiness. On balance, research tends to show that countries reporting the greatest happiness have political freedom, not universal health care, in common.

The founders, for their part, already named—in the Bill of Rights and several other constitutional provisions, such as the guarantee of habeas corpus—the civil rights they thought necessary for the execution of natural rights. There is no evidence that they considered provision of health care necessary for realizing natural rights, though medical care certainly existed in the late 18th century and was valued, as it is today, for its capacity to prolong life. Indeed, there is no evidence that the founders considered governmental provision of food to be a civil right, though its connection to the maintenance of life was, then as now, more direct and more constant than that of health care.

Guaranteed legal counsel is a rare example of a positive government-funded service that has attained the status of a civil right linked to a natural right, but defense against criminal accusation has a uniquely direct connection to natural rights, since the positive action of government prosecution might deprive the accused of life or liberty. Here the citizen is threatened not by the vicissitudes of nature but by government itself, undoubtedly placing a stronger obligation on government to go the extra mile to respect his due process rights.

In other areas, despite attempts by liberals to translate economic “rights” into civil rights like freedom of speech, America has never enshrined this concept into law. If one were to follow liberal thinking on health care to its logical conclusion, the government would also be obliged to buy a newspaper company or television or radio station for anyone wishing to exercise freedom of the press; pay the costs of petition-gatherers for those who wish to exercise their right to petition the government; purchase firearms for those wishing to exercise their right to keep and bear arms; pay for a church, synagogue, or mosque, on behalf of those wishing to exercise their right to worship as they please.

Of course, several of these “rights” would collide with the right of citizens not to be forced to pay for the propagation of beliefs not their own. But the contradiction would be no greater than that between a right to government health care and the natural right of citizens to enjoy the fruits of their own labor.

Even in latter days, this approach has generally not prevailed. In the 1980 case *Harris v. McRae*, the Supreme Court rejected the argument that the right to abortion translated into a positive government obligation to fund abortions for the poor (leaving aside the controversy over the right itself). Despite considerable effort in the 1960s and 1970s, welfare advocates failed to gain wide acceptance of the notion of government welfare payments as a fundamental civil right, and the landmark welfare reform act of 1996 departed still farther from that goal by turning federal welfare from an entitlement program into an annually-appropriated block grant replete with work requirements and time-limited benefits.

Rawls to the Rescue

EVEN THOUGH IT IS NOT POSSIBLE TO ESTABLISH a right to health care on the basis of the American political tradition, liberals might try shifting the argument to a different, and vaguer, level. For example, they might argue on the basis of utilitarianism rather than natural right. If universal health care could be proven to produce the greatest good for the greatest number, it could be mandated in good conscience. Leaving aside the difficulty of asserting a “right” on the basis of utilitarian calculation—how can it be a right if the calculation can change?—John Stuart Mill’s utilitarianism held that the “greatest good” could be defined by the degree to which the action enhanced freedom and individual development. He also argued that the only reason for government to use coercion on an individual was to prevent him from doing harm to another. Socialized medicine clearly does not pass those tests.

Another approach would be consistent with the liberal welfare-statism expounded by philosopher John Rawls (though he was criticized by liberals for not including health care on his list of basic rights). Imagine two people with identical life-threatening medical conditions. One has money, the other does not. Why should one live and the other die? Any reasonable person hidden behind Rawls’s “veil of ignorance” would want government to ensure that he was not the one without medical care at the critical moment. For some disciples of Rawls, that by itself is enough to establish a kind of moral right.

But here liberals conflate two notions that are superficially complementary but actually

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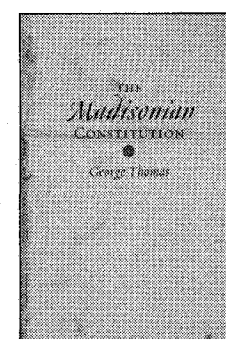
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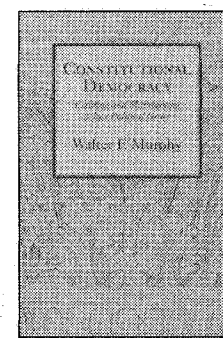
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distinct from a moral point of view: the duty to help others in mortal danger, recognized by doctors themselves in the ethics of their profession, and the right to forcibly extract help from others. The first is a noble code cultivated in a free society and accepted by free people who voluntarily take responsibility for their fellows. The second is a form of conscription in which some individuals forcibly commandeer the services and resources of others for what is, after all, fundamentally their own private benefit. In any event, the argument is disingenuous, inasmuch as liberals are not contending for equal access to lifesaving procedures; they are contending for guaranteed issue of the whole panoply of health services.

And the Rawlsian approach, virtually context-free, does not fare so well when it makes, as it eventually must, solid contact with mundane realities. Suppose, for instance, that without knowing in advance your station in life, you may choose either (a) a simple 99% probability of obtaining health insurance, or (b) an 85% probability of obtaining health insurance combined with higher quality of care if you receive it, significantly lower taxes, and less intrusive and less centralized government. It is far from clear that reasonable people would be in favor of (a) at all.

Undemocratic Rights

THE GREAT DANGER OF HEALTH-CARE-AS-a-right is that it threatens to supplant the American republic's key political principles. Accepting a positive government obligation to fund social services claimed as a matter of right would lead inexorably to government without limits. How could one fence off claims on government resources or demands for the exercise of government power, if the right to the pursuit of happiness, for example, became a

font of positive economic rights? When applied to health care, this principle could easily lead to individual rights, traditionally understood, being eaten up by confiscatory taxation, health regimentation and rationing, and insurance mandates.

Although the right to health care is an article of faith among modern egalitarians, it does not square with equality as the founders understood it: an equality of natural rights, which led to equality under the law, consent of the governed, and the mandate that law be exercised for the common good, not the private benefit of the few. Yet health-care-as-a-right leaves little room for democratic debate or compromise—after all, the point of a right is to remove an issue from the realm of majority rule—and would mandate a wrenching economic and social dislocation in order to promote the private benefit of the 12% of Americans who do not have health insurance at any given time.

Practically speaking, a right to health care denies the nation an important element of flexibility in fashioning a response to health care problems. Sticking to the founders' sound general principles would actually leave policymakers with greater room for policy innovation.

A Conservative Solution

BUT IT IS NOT ENOUGH FOR CONSERVATIVES to demonstrate that health care is not a right; they should take a much more assertive interest in health care policy, for three reasons.

First, many if not most of the problems with our health care system have been caused by bad government policy. Government has an obligation to fix its own mistakes. Second, conservative skepticism by itself is not politically tenable. Although Americans remain suspicious of a government takeover of health care, conservatives must offer some way to allay their concerns

about the current system. Finally, the longer the issue remains unaddressed by sensible conservative policies, the more likely the Left will be to use it as a wedge for advancing socialism more broadly. It's like leaving a loaded pistol in a room of drunken pirates. No one knows when it will be used or who will use it, but it's clear that nothing good will come of it.

So how should conservatives begin constructing an approach to health care? They first ought to recognize that individuals exist in a social web of family, friends, co-workers, churches, and other associations. One of the great conservative insights is that civil society can often contribute to solutions to social problems because its institutions can act compassionately, possess strength beyond the capacity of individuals, and enjoy local knowledge beyond the capacity of big government. Conservatives need to find a role for civil society.

More generally, they need to promote solutions that openly treat the nation's fundamental principles as a resource. This would mean reducing arbitrary distinctions in the tax code, giving individuals more freedom, using market mechanisms to help restrain costs, guaranteeing that states have an important role, and insisting that Congress retain accountability for whatever it enacts rather than delegating its responsibility to executive agencies. And it means, in true conservative fashion, insisting that reform not make the perfect the enemy of the good.

But first, conservatives will have to prevail in the argument with the new president and his followers over whether health care is a right.

Andrew E. Busch is professor of government at Claremont McKenna College, and author most recently of The Constitution on the Campaign Trail: The Surprising Political Career of America's Founding Document (Rowman & Littlefield).

THE RIGHT PRESCRIPTION

Code Red: An Economist Explains How to Revive the Healthcare System without Destroying It,
by David Dranove. Princeton University Press, 281 pages, \$29.95

Putting Our House in Order: A Guide to Social Security and Health Care Reform,
by George P. Shultz and John B. Shoven. W.W. Norton & Co., 244 pages, \$24.95

ONE COULD BE FORGIVEN FOR BEING CONFUSED about the state of American health care and, by extension, the welfare state in which it is cradled. Although perpetually threatening to unravel, with 47 million uninsured swarming around its tattered edges, American health care is also widely praised as the best in the world. This is largely because of the impressive pace of scientific innovation that has lengthened our lives and improved our quality of life, albeit at great monetary cost. For the non-expert, two new books supply excellent explanations of the condition we're in today, the direction we need to travel, and the possible ways we may provide for a future of better health care.

In *Code Red: An Economist Explains How to Revive the Healthcare System without Destroying It*, David Dranove, the Walter McNeerney Distinguished Professor of Health Industry Management at Northwestern University's Kellogg School of Management, takes us on a 360-degree tour of the choices confronting our policymakers in health reform.

Dranove posits three goals for a well-functioning health care system: access, efficiency, and quality. Mercifully, he does not include "equality"—the signal that an author is about to outline a health care "system" for a utopian society in which human selfishness, parochialism, and ambition have been abolished.

Noting that "there is no free lunch, only tradeoffs," Dranove dedicates the first half of his book to an enlightening description of how we got to where we are today: left to navigate an opaque, fragmented system of uncertain quality in which health coverage is determined by where one works, or how old or poor one is, with scant regard for individual preferences. Historical accident even plays a role. As far back as 1916, "national" social insurance along German lines was seriously considered in America, but the Great War put a stop to any notion of using Germany as a model.

In lieu of government action, modern American health insurance grew out of pre-paid health care offered in the 1930s and '40s by groups such as Kaiser Permanente, the Group Health Cooperative of Puget Sound, and the Ross-Loos



Clinic in Los Angeles. Although FDR was not able to get Medicare into the Social Security Act of 1935, the federal government soon became involved in health care via the Hill-Burton Act of 1946, which provided federal subsidies for hospital construction. Of course, this led to overbuilding, which politicians thought led in turn to excess demand for health care. So, by the 1960s, states reacted by requiring restrictive "certificates of need" to be issued before the construction of new hospitals!

THIS KIND OF ACTION-REACTION GOT EVEN worse when the government started taking over health insurance in the 1960s, launching Medicare for seniors and Medicaid (in collaboration with the states) for poor people. Government health spending quickly spiraled well beyond what had been budgeted. At the same time, technological advances and rising household incomes led to more private health spending. Because health insurance increasingly insulated people from the costs of health care, third-party payers responded by imposing ever more inventive methods of containing costs. None of them worked very well.

And then came the HMO. Today those three letters horrify most Americans, who will be surprised by Dranove's very light judgment upon the bland-sounding health maintenance organization. Favored by legislation in 1974, HMOs expanded from the West Coast and came to dominate the country in the 1990s. During the first Bush presidency, health economist Alain Enthoven proposed a national health system of "managed competition" by HMOs. John H. Sununu, the president's chief of staff, infamously declared that "if the American people want health care, they'll vote for Democrats," an obtuse statement betraying both a tin ear for Americans' health needs, and ignorance of how government intervention was already driving health costs out of control. Regrettably, that's exactly what they did: "managed competition" was also the core of the 1,700-page *HillaryCare* colossus, of which Enthoven later advocated throwing out all 1,700 pages.

Which brings us to the final days of the second Bush presidency and Dranove's examination of current options for reform. If we categorized health economists like foreign policy experts, Dranove would lead the realist school, mixing cautious optimism with healthy skepticism. He is tempted by the purity of spirit of single-payer, government-monopoly health care, but resists it because of its human costs (long observed in Canada and Britain)—lengthy queues for patient diagnosis and treatment, and unwillingness to invest in medical research and development.

Although he generally believes that HMOs held down health costs without harming quality of care, Dranove acknowledges that the 1990s model was not sustainable: neither patients nor doctors could stand it, and HMOs were losing money by the time their popularity nosedived beyond redemption.

Having tried everything else, we are left with the consumer-directed health plans (CDHPs) favored by President George W. Bush and many Republicans—and welcomed by Dranove with one hand clapping. CDHPs have high deductibles, low premiums, and are connected with a cash account such as a Health Savings Account (HSA). The idea is to give patients control of a significant share of their health care dollars,

in the expectation that they will spend it more carefully than if their care is (almost) free.

While solid research (the RAND Health Insurance Experiment) supports this conclusion, Dranove worries that consumers are not well equipped to determine either prices or quality. He does recognize, however, that various services are filling the information gap, and offers an excellent introduction to the strengths and weaknesses of many current approaches to measuring quality. He also has some first-rate suggestions for fine-tuning CDHP co-payments and deductibles so that patients with chronic illnesses (e.g., diabetes) do not face financial disincentives to maintaining their care.

I have only two quibbles with *Code Red*. First, the book confusingly asserts that an HSA-owner must "use it or lose part of it." HSAs, created in 2003, are tax-advantaged accounts held at banks or broker-dealers and are the personal property of the depositors. The previous "use it or lose it" version was a Flexible Spending Arrangement (FSA). Second, Dranove frequently cites the well-known figure of 47 million uninsured, which most laymen misunderstand as the number of permanently uninsured Americans. In fact, the figure encompasses millions who are between jobs (the "frictionally" uninsured), others who are eligible for government health programs but are not enrolled, those who could reasonably afford health insurance but go without, and illegal immigrants.

EVEN IF WE FIX HEALTH CARE DELIVERY, however, we have another problem: government health care is driving America into bankruptcy. This is no secret. Indeed, the law requires that Social Security and Medicare trustees issue a report to this effect every year, to which Congress pays attention for about ten minutes and then goes back to its usual business.

George P. Shultz, a Distinguished Fellow at the Hoover Institution and U.S. secretary of state under President Ronald Reagan, and John B. Shoven, the Charles R. Schwab Professor of Economics at Stanford University and the Wallace R. Hawley Director of the Stanford Institute for Economic Policy Research, would like both Congress and the American people to pay closer attention to the impending fiscal storm. *Putting Our House in Order* is marketed as a "citizen's guide to all points of view" about how to manage

the burgeoning unfunded liabilities of Social Security, Medicare, and Medicaid. The Congressional Budget Office (CBO) projects that these entitlement costs could reach 28.5% of GDP by 2050, whereas total federal revenues have never exceeded 21% in the history of the Union.

And it gets worse: state and local governments also have massive unfunded liabilities for their retired public servants' health benefits. Until recently, they have hidden these from taxpayers. The Government Accounting Standards Board (GASB) requires all public employers to have booked these liabilities by the end of 2008. The numbers are staggering. According to the authors, Maryland has an unfunded liability of \$20 billion, nearly double its annual general fund budget. New York City's chief actuary has declared that its assumptions are so unrealistic that the official estimates are "meaningless."

Nor is the bleeding confined to the public sector. Many older companies also have defined benefit pension plans (often with retiree health benefits) that are on shaky ground. Although most companies have adopted defined contribution plans such as the 401(k) in the last 25 years, there is still a critical overhang of companies with defined benefit plans. Such plans are the liabilities of the firms rather than the property of the employees.

These schemes are not in good shape: between 2002 and 2005, over 20 companies defaulted on their "pension plans of more than \$100 million in size." Although insured by the Pension Benefit Guarantee Corporation (PBGC), the PBGC's premiums have not kept pace with the rate of defaults. The biggest recent pension default resulted from the bankruptcy of United Airlines, which took from 2002 to 2006 to work out. Furthermore, because the PBGC's maximum insured pension is \$45,000, pilots who retired with pensions of \$100,000 suffered serious cuts in their pension income. Americans might not count retired commercial airline pilots among the suffering, huddled masses of the world, but their loss is symptomatic of a systemic crisis. Indeed, Shultz and Shoven fear that the PBGC might need a taxpayer bailout!

Remarkably and quite happily for their readers, Shultz and Shoven face this perfect fiscal storm with optimism, proposing solutions that restructure pensions without raising taxes. They note that while health care and pension liabilities

form an increasing slice of the nation's fiscal pie, we have a number of methods to grow the entire pie (i.e., GDP). One benefit of our expensive, innovative health care is that people are aging better. When Social Security began in 1935, an average 65-year-old man could expect to live 12 more years, and a woman 13. In 2004, life expectancy at age 65 was 16 more years for men and 19 years for women. In fact, male life expectancy at age 65 has increased by one month per year for the last 30 years.

UNFORTUNATELY, A MAJOR DIFFICULTY IN addressing the crisis of unfunded liabilities is that Americans' savings rate is now close to zero, having steadily declined since the 1980s. Shultz and Shoven's most promising recommendations to solve the problem involve increasing older workers' participation in the labor force through public policies that give them an incentive to do so. Indeed, all the extra years of life gained in the last 70 years have been spent in retirement. And these folks are actually "younger" than the previous generation. When observed through the lens of health status, a 78-year-old woman in 2000 was the same age as a 69-year-old woman in 1940.

How can we motivate more seniors to work? Shultz and Shoven's best ideas include abolishing Social Security and Medicare payroll taxes (but not income taxes) for seniors who take employment, eliminating the surtax on Social Security income for seniors who stay on the job, and pushing the eligible age for Social Security past 67 as life expectancy continues to increase. There are plenty of other suggestions throughout the book, and I think they get only one wrong: allowing employed seniors to use Medicare, instead of their employers' private health benefits, as their primary health care payer. Although this would reduce a firm's relative cost of employing a senior, the flipside is that it is relatively more expensive to hire a younger person, thereby risking increased unemployment or decreased wages for that group.

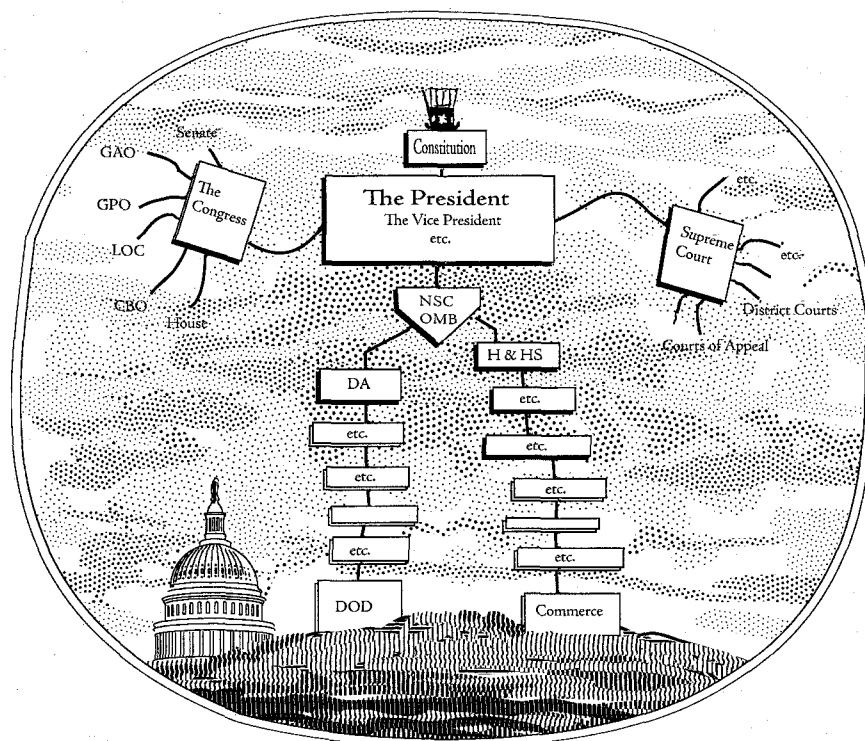
One hopes that this compelling analysis by one of the nation's leading statesmen and an equally gifted scholar will finally cause our politicians to take heed.

John R. Graham is director of health care studies at the Pacific Research Institute in San Francisco.

...AND WE'RE HERE TO HELP YOU

The Warping of Government Work, by John D. Donahue.
Harvard University Press, 224 pages, \$35

A Government Ill Executed: The Decline of Federal Service and How to Reverse It,
by Paul C. Light. Harvard University Press, 288 pages, \$45



THE POLITICAL LANDSCAPE IN WASHINGTON has plainly been profoundly altered by our recent elections. Although it is too early to tell what President Obama's priorities are going to be or how they will align with the preferences of the newly strengthened Democratic majority in the Congress, many things may be possible now in our politics that have not been possible for some time. One of those things is reform of the federal government. Like John F. Kennedy before him, Obama seems to have tapped into a vein of idealism in the American people that could lead to an enthusiasm for government service not seen since the Vietnam War and Watergate. The problem is that government service has over the years become ever more unpleasant and unrewarding.

Especially at a time when business as well as play in America are increasingly shaped by the egalitarianism and self-display of the global electronic environment, the federal government remains a dinosaur of hierarchy, regimentation, routine, and anonymity. Individual achievement is difficult to measure and reward. At the same time, even innocent missteps can land bureaucrats in the newspapers or the courts, wrecking

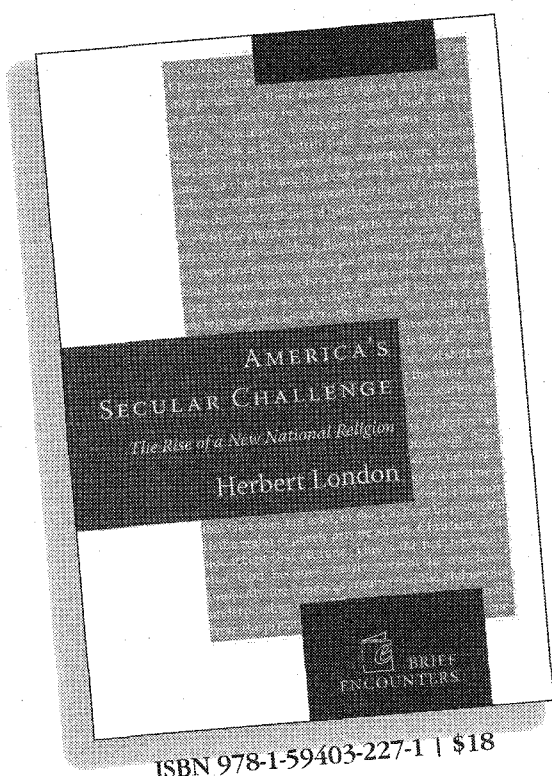
careers and bank balances (consider the case of Scooter Libby). On top of all that, federal salary scales have not kept up with the private sector, particularly in certain key areas. As a result of all these factors, those attracted to federal service are no longer necessarily our best and brightest. Rather, as John D. Donahue argues in a data-filled but readable brief study, *The Warping of Government Work*, federal employment tends to be the preferred option of those seeking what he calls "safe harbor" in government from the rigors of the real economy, with predictably baleful effects on the government's ability to perform its mandated missions.

DONAHUE, A PROFESSOR AT HARVARD'S Kennedy School of Government and a former official in the Clinton Administration, takes as his theme the increasing divergence in recent decades between public sector (including state and local government) and private sector employment. In his view, the massive factor behind this divergence is the gradual collapse of the "middle class economy" and the growth of the enormous inequalities in income that we see in the American workforce today.

Donahue spends little time bemoaning this development or expecting it to be remedied by government itself, and his bottom line will surprise some. "Government work offers a haven from the roiling turbulence of today's economy for many millions of workers," he writes. "It is eminently understandable that these Americans cherish and cling to a separate working world that still lets them earn a middle-class living. The problem, of course, is that this is not what government is for."

The real economy's distorting effect on government work is twofold. Toward the lower end of the pay scale, due largely to the growing power of public sector unions, workers are generally more secure and better paid than in comparable jobs in the private sector, yet have few incentives to excel—or fear dismissal. At the same time, because salaries for top managers and professionals are artificially suppressed by being linked closely to congressional pay, they discourage retention of the most accomplished and ambitious. (With a few exceptions, executive branch salaries are capped at around \$155,000, although annual performance bonuses are also routinely given.) Donahue argues that dysfunc-

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— (The Rev.) Richard John Neuhaus
Editor in Chief, *First Things*

"No one, to my knowledge, has done a better or more lucid job of exposing the fallacies and depredations of radical secular humanism than Herbert London does in this wonderfully trenchant and powerfully argued little book."

— Norman Podhoretz



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tional government performance can be overcome only by eliminating these distortions. He would enhance the reward structure of the top echelons of government and attack the perquisites of ordinary workers enjoying government's "safe harbor."

IN A GOVERNMENT ILL EXECUTED: *THE Decline of Federal Service and How to Reverse It*, Paul C. Light, a political scientist who has written widely on public administration in the United States, shares Donahue's assessment of the American government's declining administrative competence. Focusing on the federal bureaucracy, he offers a litany of recent cases illustrating his point:

taxpayer abuse by the Internal Revenue Service, security breaches at the nation's nuclear laboratories, missing laptops at the Federal Bureau of Investigation, the Challenger and Columbia space shuttle disasters, breakdowns in policing everything from toys to cattle, the sluggish response to Hurricane Katrina, miscalculations about the war in Iraq, a cascade of wasteful government contracts, continued struggles to unite the nation's intelligence services, agonizing backlogs at the Social Security Administration and the Passport Bureau, near misses on airport runways, staff shortages across the government, porous borders, mistakes on airline passenger screening lines, the subprime mortgage meltdown, destruction of the CIA interrogation tapes, and negligent medical care of veterans.

One might complain that Light seems in several instances to confuse policy and administrative failures, and that he doesn't establish a meaningful standard of comparison. Are our porous borders a reflection merely of administrative shortcomings, or do they point to indecision and lack of will at the policy and political level? Does the United States do worse than other countries, or is it merely that such lapses are better reported in our more transparent society? Were the shuttle crashes worse than earlier disasters in the space program?

Still, the cumulative weight of such examples is telling. There is something new and unsettling about the sheer mindlessness of some of these failures. And Light doesn't even mention the recent series of inexplicable glitches in the Air Force's handling of its nuclear weapons.

What is responsible for such incompetence? Disappointingly, he fails to analyze this question, and instead simply describes a number of discrete factors that seem to contribute in some way or other to the overall problem. These in-

clude: a mismatch between what we ask of government and the resources we (that is, the Congress) are willing to provide, proliferation of layers of bureaucracy and dilution of clarity of command, the cumbersome process for making political appointments, failure to attract the nation's best and brightest to government service, misdirected and disruptive reform efforts, and a growing reliance on contractors and grantees to perform governmental tasks. While no one would deny the pathologies Light identifies, they hardly bear the weight of his broad argument that the federal government's "execution" is fundamentally flawed. It is also odd that the latter two factors are seen in such a negative light, when in fact they may contribute part of the solution.

BOTH OF THESE BOOKS ARE USEFUL, BUT LIKE much of the literature on American public administration, their focus is too narrow. Above all, they are insufficiently attentive to the larger political, socio-cultural, and conceptual context that shapes American bureaucratic behavior. What's more, they paint with a broad brush that blurs important differences between government agencies—particularly the domestic and national security agencies—and therefore also fails to pinpoint the fundamental problem of interagency coordination. The worst failures in government performance occur at the intersection of competing organizational responsibilities. Hurricane Katrina is a classic example.

The political dimension of the federal bureaucracy's behavior has been widely ignored in the academy for obvious reasons: at its core is the relationship between the bureaucracy and the Democratic Party. Federal workers (and their counterparts in state and local governments) have become since the New Deal an important Democratic constituency, and the public unions that protect them have now eclipsed private sector unions as a source of political and financial support for the party. This is the single most important factor that explains the sorry state of public education in the United States today.

Moreover, Democratic legislators have become fond of using their constituents in public service to advance an array of liberal social policies. It would be hard to overstate the pernicious effects at all levels of bureaucracy of the regulations—grown thick in recent decades—protecting job security and proscribing sexual harassment and discrimination on the bases of race and gender. Whatever the good intentions behind them, these regulations constitute a powerful tool in the hands of unscrupulous employees and a barrier to rational personnel management. In fairness, of course, it should be added that legislators of both parties routinely

meddle in the day-to-day operations of the bureaucracy for the purposes of patronage, influence-mongering, and guerrilla warfare against the administration in power.

COMPOUNDING THESE PROBLEMS IN THE political sphere is the socio-cultural trajectory of the American elite since the 1970s. The key development here is the decline of public spiritedness and the ethos of public service in the political class since the Vietnam War, and the ongoing decay of American elite education—private as well as public—that is at once a cause and consequence of this. It is this factor, at least as much as the economic realities highlighted by Donahue, that explains why our best students continue to shun military service and find the idea of government service unthinkable. The decay of American elite education is a phenomenon that spans secondary, higher, and professional educational institutions. Quite apart from the unpatriotic ideology that pervades these institutions (as well as much of our popular culture), their ability to inculcate even the basic competencies of active citizenship can no longer be taken for granted. Who believes that today's public servants are more literate, informed, analytical, articulate, and morally serious than their counterparts of 30, 40, or 50 years ago?

In fact, it is increasingly clear that the private educational sector in the United States is no longer capable of preparing students adequately for public service. Just as some leading corporations in this country have created their own "universities" to train employees to an appropriate standard based on their real-world requirements, the government needs to consider a similar approach. At present, only the military is seriously concerned with higher education (as distinct from professional or technical training), in the form of its various service academies and war colleges. Perhaps new institutions are needed at the graduate level for the wider foreign policy and national security community. A strong argument can also be made for creating a new government-run undergraduate academy for public administration. The Obama Administration may move out smartly on this latter idea. Done the wrong way, of course, such institutions would serve only to reinforce bureaucratic mediocrity and incompetence.

Peeling back the next layer of the onion, there are both agency-specific bureaucratic cultures and generic ones rooted in complex ways in American history. What explains the FBI's long-standing inadequacies in conducting counterintelligence and counterterrorism operations? The easy, yet essentially correct, answer is that the agency's underlying culture is a law-enforcement one averse to strategic and proactive approaches. What explains NASA's space shuttle disasters? That the agency is driven by technological experimentation rather than a flight operations mentality. What explains the ineptitude of the Department of Homeland Security? On the one hand, it has failed to create a genuinely unified organization and organizational culture out of the many disparate agencies making it up. On the other, it suffers from the flawed concepts and operational codes governing much of what it has tried to do. The failure of DHS to counter political pressures against so-called racial or ethnic "profiling" of terrorists, for example, has contributed to the manifold absurdities we are all familiar with in airport security lines and elsewhere. Still another major failing is the department's susceptibility to political pressures to spread the homeland security dollar throughout every state, regardless of likely threats.

FINALLY, A WORD ABOUT THE STRUCTURE of the American bureaucracy and the problem of interagency coordination. Important as personnel issues are, it is essential not to lose sight of the enduring influence of organizational factors on bureaucratic behavior. For reasons of history and constitutional structure, the American bureaucracy is decentralized and difficult to control. Agencies answer not only to the president but to Congress, or rather to separate committees of Congress jealous of their own prerogatives; and Congress's influence over agency structure and personnel policies is extensive—more so than many Americans probably imagine, given the popular image of our all-powerful president. All this tends to reinforce the executive agencies' autonomy and distinctive cultures. Though in theory presidents can command agencies to cooperate with one another, in practice it is quite otherwise: in general, presidents are reluctant to manage the bureaucracy

directly given the frustrations and political costs involved.

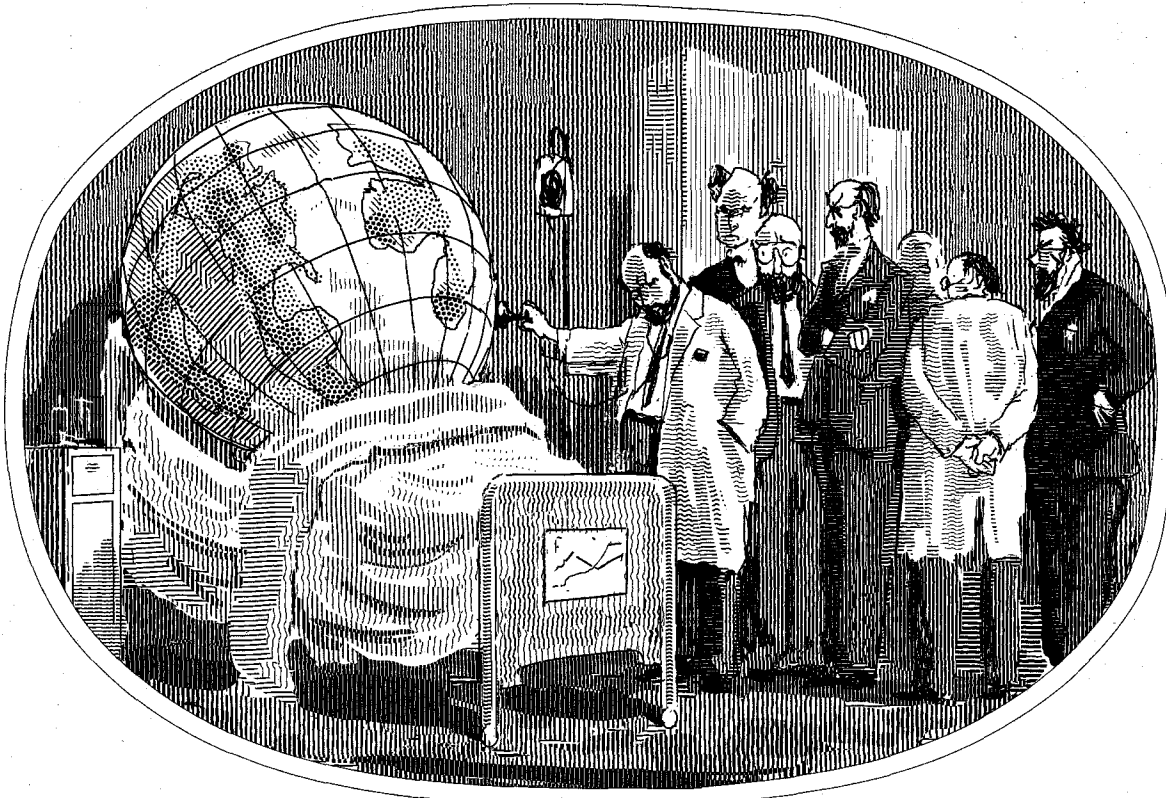
In the national security area, a special mechanism exists—the National Security Council, created in 1947—to facilitate at the White House level coordination of the State and Defense Departments, the intelligence community, and other players. When this organization has functioned well, the government's performance has been markedly superior (the Bay of Pigs and Vietnam War fiascos were not unrelated to the downgrading of the NSC system during the Kennedy and Johnson administrations). The problem, however, is that the NSC is a mechanism for policy development rather than implementation or execution. The absence of a standing mechanism of the latter sort helps explain what went wrong in Iraq following the U.S. invasion in 2003. There are several efforts currently underway in Washington to address this problem; where the Obama Administration will come down on them remains to be seen.

Returning to the personnel issue, Light envisions a comprehensive program of "radical" reform spearheaded by a bipartisan national commission, but doesn't acknowledge that the real problem consists in achieving consensus among Democrats. Donahue doubts in effect that such consensus is possible, and looks in a different direction—toward a rebalancing of the relationship between government and the private sector. He entertains the idea that government could outsource functions to the private sector, to non-profits or even corporations with a public service conscience, but decides that accountability remains an insuperable stumbling block to any such move. His final suggestion is to use government more effectively to leverage private-sector talents and capabilities. In particular, he argues for reducing the barriers to occasional public service by those who intend to make careers in the private sector. Though he doesn't mention it, anyone doubting such a step's practicability should make a study of the personnel practices of the U.S. military—and intelligence community—in World War II.

Carnes Lord is professor of naval and military strategy at the U.S. Naval War College and author of Losing Hearts and Minds?: Public Diplomacy and Strategic Influence in the Age of Terror (Praeger).

Essay by Steven F. Hayward

ALL THE LEAVES ARE BROWN



“ON WHAT PRINCIPLE IS IT,” WONDERED Thomas Babington Macaulay in 1830, “that when we see nothing but improvement behind us, we are to expect nothing but deterioration before us?” Environmentalism didn’t exist in its current form in Macaulay’s time, or he would easily have discerned its essential pessimism bordering at times on a loathing of humanity. A trip down the environment and earth sciences aisle of any larger bookstore is usually a tour of titles that cover the narrow range from dismay to despair.

On the surface this is not exceptional. Titles predicting decline, decay, and disaster are just as numerous in the real estate, economics, and social science shelves, though, ironically, not so much in the religion book racks, where one would expect to find apocalypticism well represented. This is an important distinction: unlike the eschatology of all major religions, the eco-apocalypse is utterly without hope of redemption for man or nature. The greens turn purple at the suggestion that most environmental conditions in rich nations are actually improving, and they bemoan the lack of “progress” toward the transformation of the human soul that is thought necessary for the planet’s salvation. Yet some cracks are starting to appear in their

dreary and repetitive story line. Although extreme green ideology won’t go away any time soon—the political and legal institutions of the environmental movement are too well established—there are signs that the public and a few next-generation environmentalists are ready to say goodbye to all that. There are even some liberal authors with environmentalist sympathies who are turning against the environmental establishment. But it is necessary to claw our way through the deepening slough of green despondency to see this potential turning point.

More than 30 years ago political scientist Anthony Downs wrote in the *Public Interest* of a five-step “issue-attention cycle” through which public enthusiasm for an issue gradually diminishes as we come to recognize the high cost of drastic action, and that the nature of the problem was exaggerated or misconceived. The environment, he wrote, would have a longer cycle than most issues because of its diffuse nature, but it appears that the public is finally arriving at the late stages of Downs’s cycle. Opinion surveys show that the public isn’t jumping on the global warming bandwagon despite a multi-million dollar marketing campaign and full-scale media hysteria. More broadly there are signs that “green fatigue” is setting in. Magazine pub-

lishers recently reported that their special Earth Day “green” issues generated the lowest newsstand sales of all issues published in 2008. “Suddenly Being Green Is Not Cool Any More,” read a *London Times* headline in August.

This has been building for a long time. Three years ago *New York Times* green-leaning columnist Nicholas Kristof lamented that the environmental movement was losing credibility because of its doomsaying monomania, with the result that “environmental alarms have been screeching for so long that, like car alarms, they are now just an irritating background noise.” Environmental leaders did not take well to his wandering from the reservation. In response to the popular indifference to green alarms, conventional environmentalists have ratcheted up their level of vitriol against humanity and democratic institutions. One of the most popular books of 2007 among environmentalists was *The World Without Us* by Alan Weisman, which projects a “thought experiment” about what would occur if human beings were suddenly removed entirely from the planet. Answer: nature would reassert herself, and ultimately remove nearly all traces of human civilization within several millennia—a mere blink of an eye in the planetary timescale. Environmentalists cheered Weisman’s

vivid depiction of the resilience of nature, but what *thrilled* them was the scenario of a humanless earth. Weisman made sure to stroke his audience's self-loathing with plenty of boilerplate about resource exhaustion and overpopulation. The book rocketed up the best-seller list, the latest in a familiar genre stretching back at least to Fairfield Osborn's *Our Plundered Planet* in 1948, arguably the first neo-Malthusian doomsday tract of modern environmentalism. *Time* magazine named *The World Without Us* the number one non-fiction book of 2007.

Rethinking Democracy

THE SAME VIEW OF ENVIRONMENTALISM IS on display in the Library of America's *American Earth: Environmental Writing Since Thoreau*. This collection, though worthy in some respects, has to be judged a disappointment compared to many other fine Library of America offerings—a shortcoming entirely attributable to the selection of Bill McKibben as editor. (The easier clue is the Foreword by Al Gore.) McKibben is another in the sad line of environmentalists who became bores by endlessly reprising the one-hit wonders of their youth (in McKibben's case, his mildly interesting 1989 book, *The End of Nature*). He begins and ends with Henry David Thoreau—"a Buddha with a receipt from the hardware store"—because he thinks *environmental* writing is to be distinguished from *nature* writing. Environmental writing, McKibben explains, "takes as its subject the collision between people and the rest of the world."

It was probably too much to expect that McKibben would balance the usual suspects such as Rachel Carson, Lynn White, Paul Ehrlich, and Garrett Hardin with such intelligent dissenters as Julian Simon, Terry Anderson, Frederick Jackson Turner, and R.J. Smith. But McKibben's adherence to environmental correctness is so narrowly conceived that he excludes a number of American authors who offer worthy reflections on man and nature. His tacit premise that man is not part of nature, or is opposed to the rest of nature, necessarily constricts the range of perspectives that can be brought to bear on the broad idea of "the environment." So though his collection includes Theodore Roosevelt, by representing American environmental writing as beginning with Thoreau, it excludes worthy earlier reflections such as Thomas Jefferson's *Notes on the State of Virginia* (or any of Jefferson's other agrarian reflections that can be read as precursors to Wendell Berry, who is included in McKibben's reader), or Tocqueville's prescient observations on American wilderness, our emerging attitudes toward it, and its relation to our democratic character.

McKibben and many other environmental writers affect an indifference toward, or transcendence of, politics in the ordinary sense, but ultimately cannot conceal their rejection of the

Books discussed in this essay:

The World Without Us, by Alan Weisman. St. Martin's Press, 324 pages, \$24.95

American Earth: Environmental Writing Since Thoreau, edited by Bill McKibben, Foreword by Al Gore. Library of America, 1047 pages, \$40

How We Can Save the Planet: Preventing Global Climate Catastrophe, by Mayer Hillman, Tina Fawcett, and Sudhir Chella Rajan. St. Martin's Press, 336 pages, \$14.95

The Climate Change Challenge and the Failure of Democracy, by David Shearman and Joseph Wayne Smith. Praeger, 208 pages, \$49.95

The Green State: Rethinking Democracy and Sovereignty, by Robyn Eckersley. MIT Press, 331 pages, \$28

Fatal Misconception: The Struggle to Control World Population, by Matthew Connelly. Harvard Belknap, 521 pages, \$35

Break Through: From the Death of Environmentalism to the Politics of Possibility, by Ted Nordhaus and Michael Shellenberger. Houghton Mifflin, 344 pages, \$25

Where We Stand: A Surprising Look at the Real State of Our Planet, by Seymour Garte. Amacom Press, 290 pages, \$24.95

Useless Arithmetic: Why Environmental Scientists Can't Predict the Future, by Orrin H. Pilkey and Linda Pilkey-Jarvis. Columbia University Press, 230 pages, \$29.95

unchanging human nature; the concern for the "rights of nature" has come to embrace a rejection of natural rights for humans. McKibben is one of many current voices (Gore is another) who like to express their environmentalism by decrying "individualism" (McKibben calls it "hyperindividualism"). Finding that individualism is "the sole ideology of a continent," he explains:

Fighting the ideology that was laying waste to so much of the planet demanded going beyond that individualism. Many found the means to do that in the notion of 'community'—a word almost as fuzzy and hard to pin down as 'wild,' but one that has emerged as an even more compelling source of motive energy for the environmental movement.

This is not a new theme for McKibben. Al Gore employed the same "communitarian" trope in his first and most famous environmental book, *Earth in the Balance* (1992), where, in the course of arguing that the environment should be the "central organizing principle" of civilization, he suggested that the problem with individual liberty is that we have too much of it. This preference for soft despotism has become more concrete with the increasing panic over global warming in the past few years. Several environmental authors now argue openly that democracy itself is the obstacle and needs to be abandoned. A year ago a senior fellow emeritus at Britain's Policy Studies Institute, Mayer Hillman, author of *How We Can Save the Planet*, told a reporter, "When the chips are down I think democracy is a less important goal than is the protection of the planet from the death of life, the end of life on it. This [rationing] has got to be imposed on people whether they like it or not." (Hillman openly advocates resource rationing.) Another recent self-explanatory book is *The Climate Change Challenge and the Failure of Democracy* by Australians David Shearman and Joseph Wayne Smith. Shearman argued recently that

[l]iberal democracy is sweet and addictive and indeed in the most extreme case, the U.S.A., unbridled individual liberty overwhelms many of the collective needs of the citizens.... There must be open minds to look critically at liberal democracy. Reform must involve the adoption of structures to act quickly regardless of some perceived liberties.

liberal tradition. Here we observe the irony of modern environmentalism: the concern for the preservation of unchanged nature has grown in tandem with the steady erosion in our belief in

Whom does Shearman admire as an example of environmental governance to be emulated? China, precisely *because* of its authoritarian

government: "[T]he savvy Chinese rulers may be first out of the blocks to assuage greenhouse emissions and they will succeed by delivering orders.... We are going to have to look at how authoritarian decisions based on consensus science can be implemented to contain greenhouse emissions." Separately, Shearman has written:

To retain an inhabitable earth we may have to compromise the eternal vicissitudes of democracy for an informed leadership that directs. There are countries that fall within this requirement and we should use them to initiate more active mitigation.... The People's Republic of China may hold the key to innovative measures that can both arrest the expected surge in emissions from developing countries and provide developed nations with the means to alternative energy. China curbs individual freedom in favour of communal need. The State will implement those measures seen to be in the common good.

Perhaps the film version will be called *An Inconvenient Democracy*.

Academic political theorists who take up what might be called "green constitutionalism" understand that Lockean liberalism has to be overturned and replaced. In *The Green State: Rethinking Democracy and Sovereignty*, Australian political scientist Robyn Eckersley offers up an approach that, despite being swathed in postmodern jargon, is readily transparent. The "ecocentric," transnational "green state" Eckersley envisions is represented as an explicit alternative to "the classical liberal state, the indiscriminate growth-dependent welfare state, and the increasingly ascendant neoliberal competition state." Achieving a post-liberal state requires rethinking the entire Enlightenment project:

By framing the problem as one of rescuing and reinterpreting the Enlightenment goals of autonomy and critique, it is possible to identify what might be called a mutually informing set of "liberal dogmas" that have for too long been the subject of unthinking faith rather than critical scrutiny by liberals. The most significant of these dogmas are a muscular individualism and an understanding of the self-interested rational actor as natural and eternal; a dualistic conception of humanity and nature that denies human dependency on the biological world and gives rise to the notion of human exceptionalism from, and instrumentalism and chauvinism toward, the natural world; the sanctity of private property rights; the no-

tion that freedom can only be acquired through material plenitude; and overconfidence in the rational mastery of nature through further scientific and technological progress.

Every traditional liberal or "progressive" understanding is up for grabs in this framework. This passage does not require much "parsing" to grasp its practical implications—the establishment of institutions and governing regimes that are not answerable to popular will, or that depend on transforming popular will in a specified direction. Eckersley makes this clear in a passage about the "social learning" function of "deliberative democracy," which she describes as "the requirement that participants be open and flexible in their thinking, that they enter a public dialogue with a preparedness to have their preferences transformed through reasoned argument." (Emphasis added.) In practice, of course, Eckersley's "reasoned argument" would resemble nothing so much as the infamous "ideology struggle" sessions of Mao's Cultural Revolution. This outlook gives new meaning to the old cliché about rulers selecting the people, rather than vice versa.

Yesterday's Crisis Mongers

IS THERE ANY RESPIRE FROM THIS DREARY despotic nonsense? Here and there, a few authors of sufficient independence of mind can be found who have broken with green orthodoxy in significant ways. The first of note is Matthew Connelly of Columbia University, whose brilliant new history of the population control movement, *Fatal Misconception: The Struggle to Control World Population*, is useful not simply on its theme but for the light it sheds on the political corruption that inevitably accompanies these world-saving enthusiasms. The "population bomb" can be seen as a precursor to the global warming crisis of today: as far back as the early decades of the 20th century the population crisis was put forward as the justification for global governance and coercive, non-consensual rule.

Connelly recounts one of the first major international conferences on world population, held in Geneva in 1927, where Albert Thomas, a French trade unionist, asked, "Has the moment yet arrived for considering the possibility of establishing some sort of supreme supranational authority which would regulate the distribution of population on rational and impartial lines, by controlling and directing migration movements and deciding on the opening-up or closing of countries to particular streams of immigration?" Connelly also describes the 1974 World Population Conference, which "witnessed an epic battle between starkly different versions

of history and the future: one premised on the preservation of order, if necessary by radical new forms of global governance; the other inspired by the pursuit of justice, beginning with unfettered sovereignty for newly independent nations." (Emphasis added.)

The Intergovernmental Panel on Climate Change (IPCC), the U.N.-sponsored body that is the juggernaut of today's climate campaign, finds its precedent in the International Union for the Scientific Investigation of Population Problems (IUSIPP), spawned at the 1927 World Population Conference. A bevy of NGOs, most prominently the International Planned Parenthood Federation (IPPF) and Zero Population Growth (ZPG), later sprang into being, working hand-in-glove with the same private foundations (especially Ford and Rockefeller) and global financial institutions, such as the World Bank, that today are in the forefront of the climate campaign.

As Connelly lays out in painstaking detail, population control programs, aimed chiefly at developing nations, proliferated despite clear human rights abuses and, more importantly, new data and information that called into question many of the fundamental assumptions of the crisis mongers. Connelly recalls computer projections and economic models that offered precise and "scientifically grounded" projections of future global ruin from population growth, all of which were quickly falsified. The mass famines and food riots that were predicted never occurred; fertility rates began to fall everywhere, even in nations that lacked "family planning" programs.

The coercive nature of the population control programs in the field was appalling. India, in particular, became "a vast laboratory for the ultimate population control campaign," the chilling practices of which Connelly recounts:

Sterilizations were performed on 80-year-old men, uncomprehending subjects with mental problems, and others who died from untreated complications. There was no incentive to follow up patients. The Planning Commission found that the quality of postoperative care was "the weakest link." In Maharashtra, 52 percent of men complained of pain, and 16 percent had sepsis or unhealed wounds. Over 40 percent were unable to see a doctor. Almost 58 percent of women surveyed experienced pain after IUD insertion, 24 percent severe pain, and 43 percent had severe and excessive bleeding. Considering that iron deficiency was endemic in India, one can only imagine the toll the IUD program took on the health of Indian women.

These events Connelly describes took place in 1967, but instead of backing off, the Indian government—under constant pressure and lavish financial backing from the international population control organizations—intensified these coercive programs in the 1970s. Among other measures India required that families with three or more children had to be sterilized to be eligible for new housing (which the government, not the private market, controlled). “This war against the poor also swept across the countryside,” Connelly notes:

In one case, the village of Uttawar in Haryana was surrounded by police, hundreds were taken into custody, and every eligible male was sterilized. Hearing what had happened, thousands gathered to defend another village named Pipli. Four were killed when police fired upon the crowd. Protesters gave up only when, according to one report, a senior government official threatened aerial bombardment. The director of family planning in Maharashtra, D.N. Pai, considered it a problem of “people pollution” and defended the government: “If some excesses appear, don’t blame me.... You must consider it something like a war. There could be a certain amount of misfiring out of enthusiasm. There has been pressure to show results. Whether you like it or not, there will be a few dead people.”

In all, over 8 million sterilizations, many of them forced, were conducted in India in 1976—“draconian population control,” Connelly writes, “practiced on an unprecedented scale.... There is no way to count the number who were being hauled away to sterilization camps against their will.” Nearly 2,000 died from botched surgical procedures. The people of India finally put the brakes on this coercive utopianism, at the ballot box: the Congress Party, which had championed the family planning program as one of its main policies, was swept from office in a landslide, losing 141 of 142 contested seats in the areas with the highest rate of sterilizations. At least the people of India had recourse to the ballot box; the new environmental constitutionalism will surely aim to eliminate this remedy.

A System without a Brain

ONE REASON WHY ENTHUSIASMS AND PROGRAMS maintain their forward momentum in the face of changing facts and circumstances is the culture of corruption that inevitably comes to envelope self-selecting leadership groups organized around a crisis. Connelly ably captures this seamy side of the story:

Divided from within and besieged from without, leaders created a “system without a brain,” *setting in motion agencies and processes that could not be stopped*. The idea of a “population crisis” provided the catalyst. But this was a system that ran on money. Earmarked appropriations greased the wheels of balky bureaucracies, and lavish funding was the fuel that drove it forward. But so much poured in so fast that spending became an end unto itself. The pressure to scale up and show results transformed organizations ostensibly dedicated to helping people plan their families into tools for social engineering.... Rather than accept constraints or accountability, they preferred to let population control go out of control. (Emphasis added.)

Corruption extended on a personal level to the New Class directing these world-saving crusades, what Connelly calls “the new jet set of population experts.”

The lifestyle of the leaders of the population control establishment reflected the power of an idea whose time had come as well as the influence of the institutions that were now backing it.... Alan Guttmacher was in the habit of beginning letters to the Planned Parenthood membership with comments like “This is written 31,000 feet aloft as I fly from Rio to New York.” He insisted on traveling with his wife, first class, with the IPPF picking up the tab. Ford [Foundation] officials flew first class with their spouses as a matter of policy. One wonders why Douglas Ensminger [the Ford Foundation’s India officer] ever left his residence in Delhi—he was served by a household staff of nine, including maids, cooks, gardeners, and chauffeurs. He titled this part of his oral history “The ‘Little People’ of India.” Ensminger insisted on the need to pay top dollar and provide a plush lifestyle to attract the best talent, even if the consultants he recruited seemed preoccupied with their perks. One of these strivers ran his two-year old American sedan without oil just so that the Ford Foundation would have to replace it with the latest model....

For population experts this was the beginning of constantly expanding opportunities. The budgets, the staff, the access were all increasing even more quickly than the population growth their programs were meant to stop. There was “something in it for everyone,” Population Association of America President John Kantner later recalled: “the activist, the scholar,

the foundation officer, the globe-circling consultant, the wait-listed government official. World Conferences, a Population Year, commissions, select committees, new centers for research and training, a growing supply of experts, pronouncements by world leaders, and, most of all, money—lots of it.”

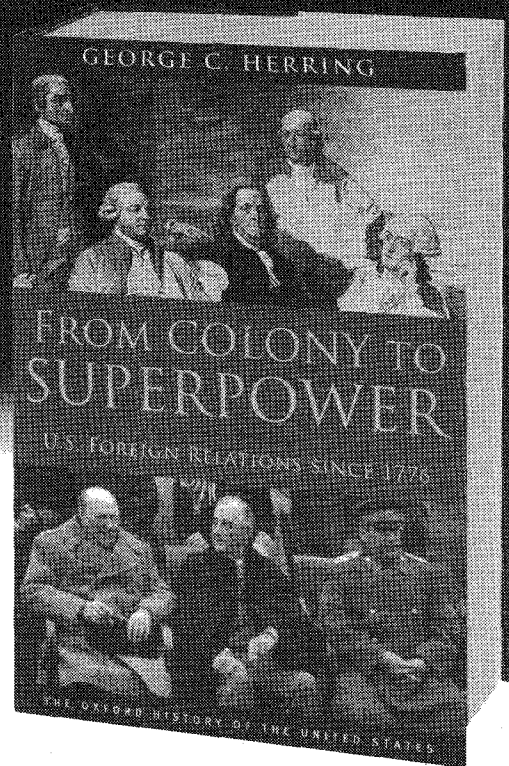
Sounds rather like the moveable feast that is the IPCC’s annual meetings, often held in hardship locales such as Bali, to press ahead with anti-global warming efforts. The magnitude of the traveling circus of the climate campaign has come to dwarf the population crusade. Prior to the arrival of climate change as a crisis issue, the largest single U.S. government science research project was the acid rain study of the 1980s (the National Acid Precipitation Assessment Project, or NAPAP for short), which cost about \$500 million, and concluded that the acid rain problem had been vastly overestimated. (Public opinion polls in the late 1970s rated acid rain the most significant environmental problem of the time.) Today the U.S. government is spending multiple billions each year on climate research—so much through so many different agencies and budget sources that it is impossible to estimate the total reliably.

With so much money at stake, and with so many careers staked to the catastrophic climate scenario, one could predict that the entire apparatus would be resistant to new information and reasonable criticism. This is exactly what happened in the population crusade. When compelling critics of the population bomb thesis arose—people who might be called “skeptics,” such as Julian Simon—the population campaign reacted by circling the wagons and demonizing its critics, just as global warming skeptics today are subjected to relentless *ad hominem* attacks. Connelly again:

Leaders of the population control movement responded...by defending their record and fighting back. They lined up heads of state, major corporations, and international organizations behind a global strategy to slow population growth. But they also worked more quietly to insulate their projects from political opposition by co-opting or marginalizing critics, strengthening transnational networks, and establishing more free-standing institutions exempt from normal government oversight.

This is exactly the playbook of the climate campaign today. Nevertheless, it is likely to follow the same trajectory as the population control movement—gradual decline in salience to the point that even the United Nations, in the early 1990s, officially downgraded the priority

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of the issue. This is likely to happen to climate change even if dramatic predictions of climate change turn out to be true.

Liberal Environmentalists

A FEW ENVIRONMENTALISTS ON THE LEFT understand the profound defects of the radical green approach to politics, along with the conventional green approach to global warming. Ted Nordhaus and Michael Shellenberger, self-described “progressives” and authors of one of the most challenging recent books on the environment, *Break Through: From the Death of Environmentalism to the Politics of Possibility*, recognize and lament the authoritarianism of conventional environmentalism. “Environmental tales of tragedy begin with Nature in harmony and almost always end in quasi-authoritarian politics,” Nordhaus and Shellenberger observe. While environmentalists like Eckersley embrace the postmodern language of “privilege” to denigrate traditional individual rights, Nordhaus and Shellenberger point up the obvious irony that it is environmentalism that is making the boldest claim to be given the most privileged position in politics: “The problem is not simply that it is difficult to answer the question ‘Who speaks for nature?’ but rather that there is something profoundly wrong with the question itself. It rests on the premise that some people are better able to speak for nature, the environment, or a particular place than others. This assumption is profoundly authoritarian.”

Above all, they reject the “limits to growth” mentality that has been near the center of environmental thought for two generations:

Environmentalists...have tended to view economic growth as the *cause* but not the *solution* to ecological crisis. Environmentalists like to emphasize the ways in which the economy depends on ecology, but they often miss the ways in which thinking ecologically depends on prospering economically.... Few things have hampered environmentalism more than its long-standing position that limits to growth are the remedy for ecological crises.

For this very reason, Nordhaus and Shellenberger insist that constraints on greenhouse gas emissions as contemplated by the Kyoto process will never work and should be abandoned. Instead they advocate massive research (with government paying for the largest share) into post-carbon energy systems. With due caveats about government-funded research, this seems a better approach than Gore’s hair-shirt agenda. They may underestimate the sheer technical and

economic difficulties of energy technology, but *Break Through* is not primarily a policy tome—it is intended to reorient our general thinking about the environment. In the second half of their book it becomes clear that Nordhaus and Shellenberger aren’t just trying to save environmentalism; they are trying to save contemporary liberalism, which they regard as nearly as intellectually dead as environmentalism. “[E]nvironmentalism is hobbled by its resentment of human strength and our desire to control nature, and liberalism by its resentment of wealth and power,” they write. This part of the book is less successful though no less serious and thoughtful. In arguing that liberals need to be more philosophical (hear, hear!), Nordhaus and Shellenberger deploy a number of philosophical categories that are problematic, at the very least, and embrace the core principles of postmodernism—though, happily, that overused term does not appear in their generally clear, direct prose. The duo are against Platonic essentialism when it comes to conceiving nature (including, it would seem, human nature), and for a revival of Deweyite pragmatism as well as empowering individual “authenticity.” The reader gets dizzy at times following the back and forth between Richard Rorty, Thomas Kuhn, Francis Fukuyama, the “metaphysics of becoming,” and more down-to-earth wonkish discussions of gas mileage standards for automobiles.

But despite these flaws, *Break Through* is still a refreshing departure from most environmental discourse, and the young authors probably aren’t done, either, rethinking fundamental aspects of political life and man’s relation to nature. Their rude treatment from fellow “progressives” (the *American Prospect* dismissed the book as containing “a lot of wasted ink”) will surely encourage more reflection.

A Green Reformation?

EVEN IN ACADEMIA THERE ARE A FEW LONELY voices who’ve noticed that the conventional green outlook is badly defective and in need of revision. Seymour Garte, professor of environmental and occupational health at the University of Pittsburgh’s School of Public Health, makes his bid to become the next “skeptical environmentalist” (after Bjorn Lomborg) with his book *Where We Stand: A Surprising Look at the Real State of Our Planet*. Garte recalls his surprise, and the surprise of fellow experts attending a professional conference in Europe, when presented with data from a speaker showing steadily declining air pollution trends along with the claim, “everyone knows that air pollution levels are continually decreasing everywhere.” “I looked around the room,” Garte writes:

I was not the only nonexpert there. Most of my other colleagues were also not atmospheric or air pollution scientists. Later I asked one of them, a close friend, if he had known that air pollution levels were constantly decreasing throughout Europe and the United States on a yearly basis. "I had no idea," he said. It was certainly news to me. Even though I was a professor of environmental health and had been actively involved in many aspects of pollution research for many years, that simple fact had somehow escaped me.... I had certainly never seen it published in the media.

Garte goes on to argue that excessive pessimism about the environment undermines good scientific investigation and distorts our understanding of important environmental challenges. He displays the frequent naïveté of a scientist observing the political world: "I have never understood why pessimism has for so long been associated with a liberal or progressive political world view." He criticizes anti-technological biases prevalent among environmentalists, but is also skeptical that market forces alone will suffice to continue our environmental progress in the future. He is guardedly optimistic that the creativity and adaptability of the human species will enable us to confront surprises and new problems. "We should pay attention to our successes as much as to our failures," Garte writes, "because in order to know where to go next, it is just as important to know where (and how) we went right as it is to know where we have gone wrong."

One of the persistent problems with environmentalism is its bait-and-switch character. The essentially political character of the movement cloaks itself with the seemingly objective authority of modern science, as though science were immune from politicization, or led to self-evident political or policy conclusions. Laying aside the value-laden premises of the ways science is used and misused in environmental controversies, it is startling to discover how limited our scientific grasp of many environmental conditions really is. The worst abuse of science comes in the almost daily predictions of future environmental conditions based on sophisticated computer models that often lack a solid empirical grounding for their assumptions and are seldom validated or back-tested with any rigor. Orrin Pilkey of Duke University and his daughter Linda Pilkey-Jarvis, a government geologist, note these failings in *Useless Arithmetic: Why Environmental Scientists Can't Predict the Future*.

The most famous prediction racket these days is climate modeling, but *Useless Arithmetic* mostly avoids the Super Bowl of enviro-modeling in favor of tackling more limited prediction modeling exercises, such as fishery management

or forecasting coastal erosion, invasive species, and nuclear waste at Yucca Mountain. Environmental forecasting is a classic case of being hoist by one's own petard. The inherent weakness of most exercises stems precisely from the core principle of modern pop environmentalism—that everything is connected to everything else. As the Pilkeys point out,

[p]erhaps the single most important reason that quantitative predictive mathematical models of natural processes on earth don't work and can't work has to do with *ordering complexity*. Interactions among the numerous components of a complex system occur in unpredictable and unexpected sequences.

Contrary to the usual process of science in which defects and errors become the platform for refinement and new approaches to the problem, environmental science finds itself caught in the grip of "politically correct modeling" (the authors' emphasis) in which there is enormous pressure on scientists, many of whom discover "that modeling results are easier to live with if they follow preconceived or politically correct notions." The models take on a life of their own, and become obstacles to conducting serious field studies that might strengthen our empirical grasp of ecosystem dynamics. "Applied mathematical modeling has become a science that has advanced without the usual broad-based, vigorous debate, criticism, and constant attempts at falsification that characterize good science," the Pilkeys conclude.

Neither Garte nor the Pilkeys are full-blown green skeptics; to the contrary—they are global warming believers who lean slightly left-of-center in their politics. But they represent a gathering backlash among academic scientists against the straightjacket of orthodox environmentalism. There are a number of others like them whose names never appear in the media or before congressional hearings. The prospect that a new generation of environmentalists such as Nordhaus and Shellenberger, along with academic dissenters such as Garte and the Pilkeys, can work a reformation of the movement may not seem very bright. But such voices were virtually unheard of even ten years ago. Stay tuned: a new shade of green might yet emerge.

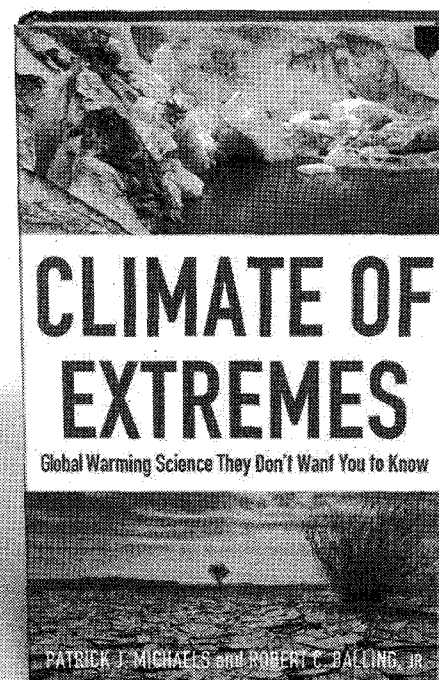
Steven F. Hayward is the F.K. Weyerhaeuser Scholar at the American Enterprise Institute, senior fellow in environmental studies at the Pacific Research Institute, and author of the annual Index of Leading Environmental Indicators (Pacific Research Institute/AEI Press). This essay is part of the Taube American Values Series, made possible by the Taube Family Foundation.

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Book Review by Michael Barone

KICKING NIXON AROUND

Nixonland: The Rise of a President and the Fracturing of America,
by Rick Perlstein. Scribner, 896 pages, \$37



ONLY TWO MEN HAVE BEEN NOMINATED five times for national office by one of our two great political parties. One of them was Franklin D. Roosevelt. The other was Richard M. Nixon. Personally and by the long shadow they cast, both shaped American politics and government for a generation or more. Each of them polarized the nation, with most voters coming out most of the time on his side, but with an uncomfortably large number—including many prominent voices in the press—never reconciled to the legitimacy of the man or his works. Roosevelt is perennially rated as one of our best presidents, and I think justifiably so, whatever you may think of his domestic policies, because of his brilliant success as commander-in-chief in World War II. Nixon is perennially rated as one of our worst presidents, and here I disagree, for I have come to think that Nixon, for all his sins, left the country better off than it was when he came to the White House.

That might seem counterintuitive or nonsensical. Against the picture of Roosevelt departing suddenly from the scene as the nation neared the moment of absolute victory, we have the picture of Nixon, physically awkward as ever, making the “V” sign as he boarded the helicopter that would take him away from the White House as the first president so disgraced that he was forced to resign. But if we grant, as I think most Americans would, that the nation was better off

in April 1945 than it had been in March 1933, I also think a strong case can be made that the nation was better off in August 1974 than it had been in January 1969.

Rick Perlstein, the gifted author of *Nixonland: The Rise of a President and the Fracturing of America*, seems to disagree. Perlstein is a young man of the Left who won many admirers on all sides with his previous book, *Before the Storm: Barry Goldwater and the Unmaking of the American Consensus* (2001). There he showed the capacity for a sympathetic understanding of a man whose ideas he does not share; here he struggles to do the same for a man whose ideas often were much closer to his own. But of course Goldwater, who never really wanted to be president, was gifted with an appealing personality while Nixon, who longed to be president, was not. My impression is that Perlstein’s attempts to understand Nixon left him loathing him all the more, and regretting the nation—“Nixonland”—he left behind. “How did Nixonland end?” he concludes his book. “It has not ended yet.”

YET MY READING OF THIS BOOK LEFT ME more appalled by Nixon’s enemies than by Nixon. I lived through this period, while Perlstein knows it only second hand. But I have to say that my own attempt at political narrative, *Our Country: The Shaping of America from Roosevelt to Reagan* (1990), which Perlstein

acknowledges, offers a far less vivid and emotionally rending picture of America in the years from 1965 to 1972 than Perlstein’s. He begins his narrative with an account of the Watts riots in Los Angeles in August 1965 based on television footage from KTLA’s first-of-its-kind helicopter and notes, a few pages later, that it broke out five days after the signing of the Voting Rights Act. That law, the most immediately effective civil rights act, was the product of a national consensus for equal rights and against Southern segregationists’ violent obstructionism. The riot was an advance warning that that consensus would produce not domestic contentment but something more like war.

The most vivid scenes in *Nixonland* are not those featuring Nixon but those showing the violence and craziness of his times. Most but not all of it came from the Left or forces associated with the Left—rioting blacks and students, war protesters and feminists, hippies and criminals. Perlstein’s pointillist narrative of the Democratic National Convention of 1968 shows how wrenching the violence in Chicago was; his similar description of the Democratic National Convention of 1972 brings out the zaniness of the proceedings.

Perlstein’s accounts of the violence and hatreds loose in the land fortify my judgment that Nixon came to the presidency at the third most difficult time in our history to do so, the others

being March 1861 and March 1933. And I would agree that the ultimate failure of his presidency, together with the recent memory of the assassination of John Kennedy, undermined Americans' belief in a beneficent national narrative.

EVEN SO, I SEE TWO NIXONS, ONE OF THEM treated rather glancingly in *Nixonland*. This is the Nixon who came to office promising to respond to the sign the girl held up in Deshler, Ohio, "Bring us together." This Nixon embarked on creative public policies intended to form a new national consensus at a time of violent division. For that purpose he brought on staff two Harvard professors, Henry Kissinger and Daniel Patrick Moynihan, with whom he had no previous friendly connection. Perlstein gives little attention to policy in *Nixonland* and mentions Moynihan only a couple of times. Kissinger, an accomplice in some of Nixon's misdeeds, appears more often, but without much emphasis on the one great initiative which Nixon envisioned even before Kissinger—the opening to China. This Nixon also advanced liberal policies on school desegregation in the South (admittedly made necessary by court decision), on the environment and Indian tribes (here John Ehrlichman was a key aide), and on racial quotas and preferences. Yet he got virtually no credit for them from liberals.

At the same time, he led a major effort to restructure our politics by actively seeking a Republican majority in the Senate in the 1970 off-year elections. This was the year, by my count, which had more seriously contested Senate elections than any other in our history. Perlstein makes it clear that the campaigns of many of these senators were in tension with the thrust of Nixon's policies. But he also makes it clear that many of the Democrats who opposed Nixon's policy on Vietnam were behaving dishonorably: the same people who meekly supported Lyndon Johnson's escalation of the Vietnam War savagely opposed Nixon's attempt to salvage victory even as he withdrew forces. Nixon had reason, I think, to believe that his opponents were operating in bad faith and reason, I am guessing, to believe that if he secured Republican majorities in Congress he could lead them toward some national consensus. But he fell short. Republicans gained seats in the Senate, but not enough, and they lost seats in the House, in a recession year, as they had in recession years since the 1930s. Nixon's attempt to reshape partisan politics had failed. In response, he decided to fight for his own survival—he was anything but a favorite for reelection during much of 1971 and 1972—and let his party fend for itself.

Here I think Nixon capitulated too soon, lacking the imagination to see what could be done.

In his younger years Nixon was always a fighter. In Perlstein's view, he was not just shaped by but suffused with a resentment of those one step up on the social ladder—a hatred of the Franklins at Whittier College (he headed the rival Orthodoxians), of well-connected Harvard graduates like Alger Hiss (Nixon had been turned down at Harvard and was turned down by Wall Street law firms), and of the *New York Herald Tribune* establishment Republicans who tried to force him off the ticket in 1952. His response was to work harder, to identify the other side's weakness, and to strike a fatal blow by appealing to the resentments of those on the rungs of the ladder below him. His exposure of Hiss was one great success; the Checkers speech another. They came early—Nixon became vice president at 40, the second youngest in history—and, in Perlstein's view, they reinforced his impulse to make such appeals again and again.

THE SECOND NIXON I SEE, THE NIXON OF the period after the 1970 elections, certainly did so. This Nixon seemed to consider all the old political rules still in place. He no longer thought that the Republicans could become a national majority. Instead, he appointed the still-Democratic John Connally to his cabinet and at the instigation of the former Texas governor issued wage and price controls. He devoted much of his 1972 campaign media budget to ads in which Connally argued that George McGovern was an unacceptable Democrat, with the implication that it was all right to vote for less radical Democrats lower down the ballot. Then Nixon authorized or set in motion the dirty tricks squads and Watergate burglars. He well understood that Roosevelt and Kennedy had employed such methods, and he knew that the press had observed an ethic that held you shouldn't print things that would disillusion Americans about the purity of U.S. presidents. He didn't realize that that rule was changing—in the wake of the violence of the late 1960s and early 1970s and out of liberal-left baby boomers' confidence in their own purity and disgust with the larger society. The press's willingness to expose a president's shady tactics proved politically fatal for Nixon in 1974.

Nixon, writes Perlstein, "rose by stoking and exploiting anger and resentment, rooted in the anger and resentments at the center of his character.... What Richard Nixon left behind was the very terms of our national self-image: a notion that there are two kinds of Americans." Nixon took the side of (in terms I used at the time) the dutiful people over the beautiful people. Perlstein is careful not to argue that one side was all right and the other all wrong. "Both populations—

to speak in ideal types—are equally, essentially, tragically American." Maybe so. But in Perlstein's narrative the beautiful people look very ugly—sometimes uglier than Nixon himself.

Consider that other president nominated five times for national office. Franklin Roosevelt, like Richard Nixon, at times used hateful language against a widely despised elite. "I should like to have it said of my first administration that in it the forces of selfishness and of lust for power met their match," Roosevelt declared in October 1936 in Madison Square Garden. "I should like to have it said of my second administration that in it these forces met their master." Master—a pretty tough word in the decade of Mussolini and Hitler and Stalin. And Roosevelt's hatred, as with Nixon, was directed at those one rung above on the social ladder: the DuPonts, the Mellons, and the Vanderbilts whose wealth dwarfed that of the squire of Hyde Park.

But for Roosevelt, I think, the hatred was faux, political artifice, adopted in the heat of battle but dispensed with when circumstances dictated. Roosevelt was quite ready, when faced with international disaster and the daunting challenge of winning a third term in 1940, to call in Herbert Hoover's secretary of state to run the army and Alf Landon's running mate to run the navy. He recruited Wall Street operators and big corporate executives to run much of the war effort in the years that followed. Roosevelt, who never showed his hole cards to anybody, was a faux-hater. Nixon, at least according to Rick Perlstein, was the real thing.

That was arguably a terrible political handicap. Yet in policy terms Nixon had his successes. His China policy, denounced by every successful presidential candidate but one since his day, remains in place, a more important part of American policy than ever. Some of his leftward domestic policies do, too. But the major difference, perhaps, between Roosevelt and Nixon was that the people Roosevelt professed to hate were still willing to serve with him because they wanted America to win a war. The people Nixon sincerely hated wanted America to lose a war. And, as we have seen in the past few years, the descendants of the people Nixon sincerely despised still want America to lose a war. Rick Perlstein's indictment of Nixon is an even harsher indictment of the people who cheered when he was brought down.

Michael Barone is a senior writer for U.S. News & World Report, principal co-author of *The Almanac of American Politics* (National Journal Group), and author of *Our First Revolution: The Remarkable British Upheaval That Inspired America's Founding Fathers* (Crown).

THE GREAT BLACK HOPE

THE DECLINE IN CRIME BETWEEN 1994 and 2000 may have been the greatest in American history. Not only was the drop pronounced, it was nationwide and embraced all serious crime categories. Between 1990 and 2000, the nationwide murder rate—one of the most accurate crime indicators—fell 41%. And the federal government's crime victim survey revealed over the same decade a 38% drop in nonfatal violent crime.

The reduction in murders alone saved over 5,400 lives a year. The resulting change in many cities was palpable. Until the recent economic slump, tourism was thriving, and downtown hotels, restaurants, and theaters were flourishing. People no longer were afraid to go to business districts or park their cars on city streets. Remember those makeshift "No Radio" signs in car windows? Nowadays, so many cars come into Manhattan that New York's mayor wants to charge an entry fee. Our urban centers are safer, and perhaps as important, they *feel* safer.

Oddly, despite all of the effort to study crime when it was soaring, from the late 1960s through the early '90s, the great crime decline caught the experts by surprise. Not only did they fail to predict it, but even now they cannot quite explain it.

A big reason for this inability is the academy's refusal to deal candidly with questions of race. Although African-Americans are disproportionately involved in violent crimes, non-academics will no doubt be amazed to learn that few criminologists analyze in a frank, straightforward manner the role of African-Americans in crime. For instance, Berkeley criminologist Franklin Zimring's *The Great American Crime Decline* (2007) barely discusses race and does not even have an index entry for blacks or any other racial category. Zimring is not atypical, and the failure to examine or even identify the race factor is not accidental. Now that crime has declined and African-Americans are leading the downturn, perhaps we have an opportunity to present a more honest analysis of America's crime situation.

Police and Prisons

ONE MIGHT EXPECT THAT THE COUNTRY'S response to high crime—more police and stiffer sentences—would explain the crime fall. But the evidence is equivocal. From 1973 to 2002 there was a threefold growth in the rate of imprisonment in the United States;

but criminologists have raised doubts about its efficacy. Andrew Karmen, in his study *New York Murder Mystery* (2000) pointed out that when New York City's crime rates fell in the '90s, indictments, convictions, and imprisonment in Gotham were *declining* not escalating. Looking at national data, Zimring calculated that the *lowest* increase in incarceration in a quarter-century occurred from 1996 to 2000, the period of the *greatest* decrease in crime. A complex econometric analysis of the effect of incarceration developed by William Spelman attributed only 27% of the crime fall to the prison buildup. Furthermore, these studies aside, it is surprising that a long-term crime drop didn't occur earlier, say, in the 1980s when incarcerations accelerated. (Violent crime *did* drop in the early '80s, but the decline wasn't nearly as steep or as long-lasting as the one in the mid-'90s.) The other surprise is that crime's long-term slide seemed to occur rather abruptly in the mid-'90s.

The trouble with all of these analyses is that they may be measuring incapacitation, not deterrence. It is difficult to distinguish the effect on crime rates of removing from circulation offenders with a propensity to recidivate (i.e., incapacitation) and the impact of frightening into law-abidingness potential offenders who remain at large (deterrence).

We must also examine the role of the police. As crime fell in the 1990s the number of police officers in big cities increased 17%. On the basis of sheer numbers alone, one would expect greater police effectiveness. But numbers were only part of the story. There were notable improvements in the quality of police administration, with better measures of performance through Compstat (which incorporates computerized crime-mapping) and more aggressive patrols based on the Broken Windows (or community disorder) theory of policing developed by social scientists James Q. Wilson and George Kelling. And indeed, handgun checks, quality-of-life enforcement, and increased misdemeanor arrests seem to have made a real difference in both maintaining order and reducing violence.

For all the advances in police work, however, efficiency in arrests did not improve. The percent of homicides cleared by arrest went up a bit during the crime decline years, but never attained the 75% rates achieved in the 1970s. Since homicide clearances represent the best in police performance—the arrest rates for all other crimes are lower—one would have to credit

the police for curbing violent crime by arresting a *smaller* proportion of violent criminals.

Kelling has argued that reducing petty crimes, such as graffiti-scrawling and window-breaking, restored a sense of order to high crime neighborhoods and discouraged law-breaking in general. This is undoubtedly true, but it is a leap to say that arresting misdemeanants, who are incarcerated briefly if at all, is sufficient to explain a 41% drop in murder nationwide, much less the 60% fall in violent crime in the Big Apple. In fact, Kelling claims that Broken Windows policing was responsible for only 5% of the reduction in violent crimes in New York City.

There is another reason to be skeptical that better policing was the central ingredient in the crime drop. The decline in crime was a nationwide phenomenon within a narrow time-frame. Yet policing is a local function in the United States. How could it be that so many locally run police departments got so smart so fast? In fact, some departments—Seattle's, for example—candidly admitted that they were baffled by the crime reductions in their cities. And whatever accounts for New York City's remarkable success in controlling crime—and then Police Commissioner William Bratton and Mayor Rudolph Giuliani deserve a lot of credit for increasing the size and efficiency of the NYPD—New York's achievement cannot explain the 51% violent crime drop in San Francisco or the 59% decline in Fort Worth.

Crime and Race

BUT THERE IS INDEED A FACTOR THAT EXPLAINS, or more accurately, begins to explain the crime fall: namely, race. The data on the relationship of race and crime, as I will show, speak volumes. Moreover, by closely analyzing the African-American role in crime we begin to discover other compelling explanations for its rise and fall.

Simply put, the decline in crime, especially in violent crime, was and is being driven by major reductions in offenses by African-American males. Black violent crime, which had been persistently high for over three decades (indeed, for a long time before that), began unexpectedly to nosedive in the mid-1990s. Since 2000 it has plateaued, but there are reasons to be optimistic about further declines.

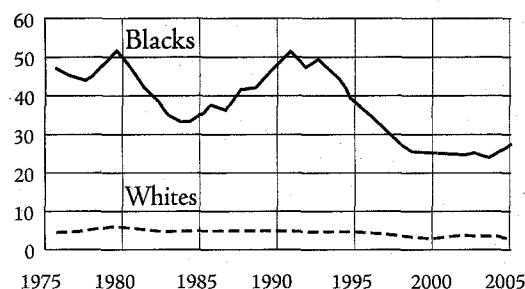
Consider first our most accurate data: murder victims. Between 1990 and 2000, when the



CHART A

Homicide Offending by Race, 1976-2005

Rate per 100,000 population



Source: U.S. Department of Justice

nationwide homicide rate dropped 41%, black homicide victimization fell 45%. Since crime is overwhelmingly intraracial—that is, blacks usually kill blacks and whites kill whites—the decline in murders of African-Americans is a good indicator of a falloff in murder by African-Americans. This is confirmed by a 45% drop in black homicide offending between 1990 and 2000. (Perpetrator data are less reliable than, but are corroborated by, victim data.) For whites, whose rates were seven to ten times lower to begin with, the decline (37.5%) was less dramatic (see Chart A).

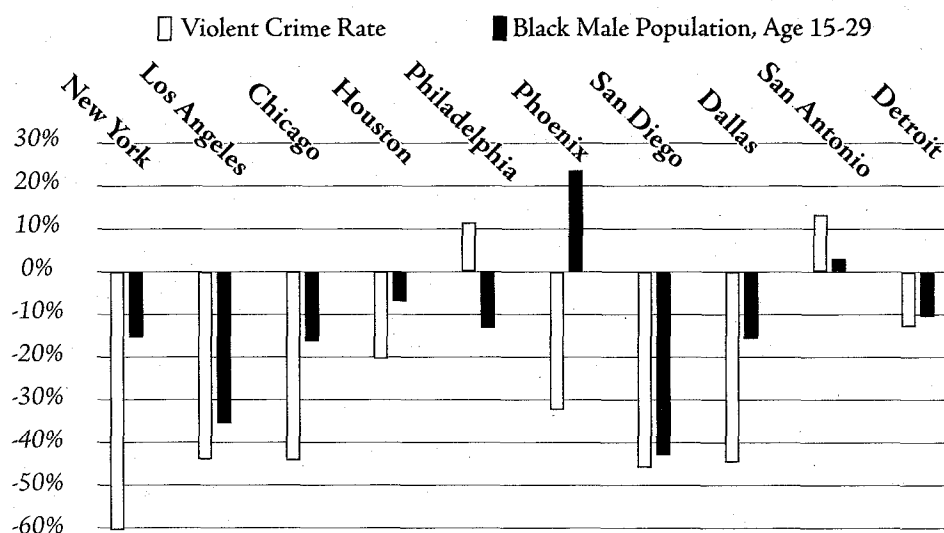
The results are comparable with respect to other crimes of violence, namely rape, robbery, and aggravated assault. From 1990 to 2000 non-homicidal violent crime declined 38%. Black violent victimizations over the same time period were cut in half (–49%). Once again, the decline in victimizations was mirrored in the figures for black offending. Arrest rates of African-Americans for violent crimes other than murder dropped 53%. (For whites, the decline was 21%.)

To be sure, it is too soon to declare victory. Despite the astonishing reduction, violent crime continues to be high compared with the 1950s and early 1960s. Moreover, black violence is still way out of proportion to that of any other racial or ethnic group. In 2005, for instance, African-Americans, who are around 12% of the U.S. population, were responsible for 55% of the murders in the United States, and their murder commission rate was nearly eight times that of whites. While the black crime problem is not solved, we may be seeing the beginning of a major long-term downward trend.

The unresolved question, of course, is why did black violent crime diminish at all? And why did it fall so much more than white crime? This is the real murder mystery. To solve it we must address black crime specifically.

CHART B

Violent Crime and Black Male Population Changes, Top U.S. Cities, 1990-2000



Geographic Mobility

A PART OF THE DECLINE IN BLACK CRIME may well have been caused by simple mobility: blacks have moved away from some of the most troubled and crime-ridden big cities. In fact, during the 1990s there was evidence of a reversal of the great postwar migration from the South to the North. In the 1960s, Northeastern states were the top gainers in black population and Southern states the big losers. In the '90s, this was flipped. North Carolina, Georgia, and Florida saw the biggest growth in their black populations; New York, New Jersey, and Connecticut, the biggest declines.

Of course, this doesn't tell us *which* blacks moved south. The migrants could have included large numbers of retirees, which would not have affected crime. On the other hand, an outflow of adolescents certainly would have been significant.

Not all of the new black mobility was voluntary. Another piece of the puzzle is that some of the most crime-prone blacks were "taken off the streets." Justice Department figures indicate that from 1990 to 2000 the total number of sentenced inmates in the United States rose 77%, and by 2000 nearly 10% of young black men were in prison. The comparable white imprisonment rate was 1%.

Despite geographic mobility and incarceration, urban, black, lower-class young men—the most crime-prone population—did not decline nationwide. In fact, the black male population between the ages of 15 and 29 rose 2% between 1990 and 2000. A more telling measure than the national total, however, is the young black male population of the nation's big cities, the breeding ground for violent crime.

The urban population figures lend qualified support to the black mobility explanation. During the '90s, crime fell in eight of America's

ten biggest cities, and in seven of the eight the young black male population (ages 15-29) also declined. In only one city, Philadelphia, did that key population go down while violent crime increased (see Chart B).

Significantly, however, in not one of the crime-drop cities did the decline in black male population keep pace with the reduction in crime. This is dramatically borne out by New York City, where violent crime fell 60% while the young black male population shrank 15%.

Thus, black population decline, cannot, by itself, explain the magnitude of the crime drop that occurred between 1994 and 2000.

Social Mobility

A NOTHER POSSIBLE EXPLANATION IS SOCIAL mobility. Many of the poor, black, high-crime neighborhoods are becoming less poor and less high-crime, while remaining just as black. In the North Kenwood-Oakland area of Chicago, for instance, the proportion of impoverished families went from 63% in 1990 to 39% by 2000. Yet the area remained around 98% black. We see a similar pattern in New York's Harlem.

Neighborhood upgrade is probably the result of a mix of geographic and social mobility. That is, some blacks are migrating south; other, relatively better-off blacks are moving into previously all-poor African-American communities (black gentrification); and there has been a steady multi-decade rise of African-Americans into the middle class. These developments complement each other and help drive down crime in black neighborhoods.

More than any other development, the growing African-American middle class bodes well for the nation's future because middle-class people, whatever their color, don't commit a lot of violent crime. But it does not explain



TABLE A
Homicide Rates per 100,000 population for
Males by Race and Age, 1990-2000

	White Male			Black Male		
	14 to 17	18 to 24	25+	14 to 17	18 to 24	25+
1990	22.0	30.9	9.2	194.5	290.8	70.3
1991	22.8	32.9	8.8	214.1	365.1	68.8
1992	23.3	31.8	8.0	209.1	326.4	65.5
1993	22.8	32.7	7.8	253.1	362.5	60.7
1994	24.9	32.7	7.5	235.5	338.3	55.1
1995	22.0	32.1	7.2	178.6	301.3	51.3
1996	18.3	31.7	6.4	143.3	282.5	47.2
1997	16.3	29.5	5.9	116.8	252.8	45.0
1998	14.2	29.8	6.1	80.7	227.1	39.6
1999	10.6	24.9	5.4	68.4	212.9	36.3
2000	8.1	24.6	5.3	63.7	211.4	38.0

TABLE B
Male Homicide Offenders by Race and Age

	Total Male Offenders	All White Male Offenders	% of Total	All Black Male Offenders	% of Total	White Males 14-17	% of Total	Black Males 14-17	% of Total
1994	23,441	9991	42.6	13,450	57.4	4,894	20.9	8,937	38.1
1995	21,806	9870	45.3	11,936	54.7	4,640	21.3	7,668	35.2
1996	19,661	8739	44.4	10,922	55.6	4,340	22.1	6,926	35.2
1997	18,034	8090	44.9	9,944	55.1	3,978	22.1	6,061	33.6
1998	16,820	8169	48.6	8,651	51.4	3,885	23.1	5,186	30.8
1999	15,128	7053	46.6	8,075	53.4	3,215	21.3	4,852	32.1
2000	15,538	7076	45.5	8,462	54.5	3,153	20.3	4,963	31.9

the crime drop of the 1990s. We know this because crime fell dramatically in poor black districts even though they remained both poor and black.

To demonstrate this, I examined crime in five New York City police precincts with over 80% black population and high poverty, including Harlem and Brooklyn's Bedford-Stuyvesant. Each had staggering homicide rates in 1990: from two to four times the rate for the city overall. Ten years later, when the citywide rate had fallen 73%, the murder rate in the five black precincts had dropped an even more remarkable 78%. For non-fatal violent crimes the results were nearly as impressive. The citywide decline was 60%; for the black precincts, 66%.

These precincts also made marked social progress in the 1990s. In Brooklyn's 81st Precinct, median income rose 43%, and in Central Harlem's 21st, the public assistance rolls were cut in half. Nonetheless, even in 2000, these precincts could hardly be described as prosperous. Indeed, they remained relatively poor and overwhelmingly African-American. And yet crime sank.

I found comparable results in Chicago, where the seven police districts with overwhelmingly black populations (above 90%) generated half the city's murders. During the great fall in crime between 1990 and 2000, however, murders in Chicago fell by 26%, and more than half of that decline occurred in the seven black districts. In Chicago as in New York, it was the black communities, evidently poor, that led the downturn in violent crime. Whatever may be said for geographic and social mobility—and they were and will continue

to be significant—they cannot account for the plunge in crime. It is the impoverished African-Americans remaining in their communities who were most responsible for reducing crime.

Intergenerational Change

THE MOST PLAUSIBLE EXPLANATION FOR the crime decline is that it was caused by cultural change across generations, principally among African-Americans. In particular, the 1980s gave birth to a generation of African-Americans who increasingly rejected the culture of crime, and in some cases are mainstreaming into the middle class. Simply stated, these young black males saw the effects of drugs and crime on the adults in their communities and resolved that they did not want to spend their lives in prison or as junkies, or die prematurely from AIDS or murder. One might call this an intergenerational deterrent effect.

To understand this development consider the historical context. Three million African-Americans moved from the American South to the North—primarily to its big cities—between 1940 and 1960, and another 1.4 million relocated during the 1960s. This was one of the biggest migrations in American history, four times the size of the first black migration north during World War I. Lacking the work skills and education for successful adaptation to the urban rough and tumble, blacks occupied the lowest rungs of the socioeconomic ladder. Nonetheless, they kept migrating, lured

first by wartime jobs, then by hopes for economic and social opportunities foreclosed in the South.

In 1940, blacks were overwhelmingly rural and Southern; three-quarters lived below the Mason-Dixon line, and only 6% of the New York City population was black. In 1960, that last figure jumped to 14% and steadily increased with each subsequent decade. By 1990, blacks were 29% of the Big Apple. In Chicago, Philadelphia, and Detroit, between 1940 and 1970, the black populations rose, respectively, 399%, 259%, and 475%. This Great Migration dramatically changed African-American residential patterns, as well as the cities to which they moved.

In 1960, just before the biggest increase in violent crime in American history got underway, the murder rate was a relatively low 5.1 (per 100,000). Twenty years later the murder rate doubled to an alarming 10.2 and, not coincidentally, the young black male population increased 42%. For two decades, from 1960 to 1980, murder, violent crime, and the black male population of the Northern cities soared. There is little doubt that it was this second generation of blacks (born after World War II) that drove the crime rates through the roof. Justice Department figures from 1976 on, when the data are most complete, tell the tale. Although African-Americans were around 12% of the U.S. population, they committed over half of the nation's murders.

Surveys, such as those made of arrested violent felons, all indicate that the most crime-prone years are ages 15-34 (15-24 for murderers).

The second generation of migrated blacks—the black baby boomers, if you will—reached their most crime-active years in the mid-1960s and continued their criminal activity at extraordinarily high levels through the '70s. In the 1980s, the early cohort, born immediately after the war, reached their late 30s and started “aging out” of crime. As a result, murder rates began to decline. This mini-crime drop was short-lived, however; in the mid-1980s murder rates again turned sharply upward as the third, or “echo boomer” generation, having reached its late teens, took over crime production. Spurred by crack cocaine and the widespread availability of illegal handguns, these grandchildren of Southern migrants were responsible for the massive crime surge of the late '80s. What happened next, however, stunned the experts. In 1995, just when another generation, the late echo boomers, was expected to reach its peak years for murder and violent crime, crime plummeted.

The demographic theorists were mystified, and they weren't alone. They assumed that each generation would behave just like the one that preceded it. Since young males 15-24—especially poor, black, urban young males—dominated the violent crime statistics, the new generation, they assumed, would replicate the behavior of their fathers. Yet between 1990 and 2000, while the young urban black male population declined somewhat, murder fell by a whopping 41%. Most significantly, black crime and its accompanying black victimization plummeted to new lows.

Table A provides the murder rates during the 1990s for whites and blacks in each age category. Note how much higher the black murder rates are, but note too the magnitude of the decline in the second half of the decade, especially for the youngest group.

Between 1993 and 2000, the murder rate of the youngest of the late echo boomers' generation, black males ages 14-17, went from 253 to 64, a remarkable 75% plunge. White youngsters in the same age category did almost as well; their murder rate went from 23 to 8, a 65% decline. But when we examine each group's contribution to the murder total we see even more clearly that it is the young African-Americans who were primarily responsible for the great crime decline.

In Table B, which covers the seven year crime drop of the late '90s, the year-by-year figures, read from top-to-bottom, tell the number of murders by each group and the percentage of total murders by that group as the decline in crime progressed. These figures reveal that

- White male offenders, all ages, showed modest increases in their portion of total homicides during the crime drop years; from 1994 to 2000 their share rose from 42.6% to 45.5%.
- Black male offenders, all ages, showed modest decreases in their portion of

total homicides during the crime drop years; from 1994 to 2000 their contribution dropped from 57.4% to 54.5%.

- The proportion of total homicides committed by white male offenders, ages 14-24, remained basically stable during the crime drop years, declining 3%.
- The proportion of total homicides committed by black male offenders, ages 14-24, declined significantly during the crime drop years; from 1994 to 2000 it fell from 38.1% to 31.9%, a relative decline of 17%.

The crime fall years were marked by steadily decreasing proportions of murders by blacks. In other words, while the murder pie shrank during the late '90s—the total murders by all races declined—the black portion of the pie eroded the most. The reduction in murders by black males, especially by younger males (14-24), was largely responsible for the nation's overall homicide decline from 1994-2000.

Crime and Culture

EXPERTS HAVE BEEN BAFLED BY THE CRIME problem because they focus on social conditions—poverty, unemployment, housing, segregation, etc.—while assuming that any group living in conditions similar to these of the black lower class would have the same response, namely, violent crime. But this turns a blind eye to different groups' varying reactions to social circumstances. Groups develop distinctive ways of viewing the world and acting in it—unique cultures, or if they are part of a larger social collective, subcultures. Only through a study of a group's history can we understand the genesis and character of its culture.

The relationship between black violence and the troubling history of African-Americans—a chronicle of slavery, discrimination, poverty, and segregation—remains insufficiently examined. With the exception of slavery, all immigrant groups suffered these social ills, some in greater measure than blacks, but few committed violent crime at anything near the rates of African-Americans, and none over the course of an entire century. As for slavery, it ended 100 years before the black crime rise of the 1960s and cannot be a direct causal factor. What's more, American blacks from the Caribbean, despite a history of slavery and the same skin color disadvantages as African-Americans, have had much lower crime rates. Nor has it been explained why poverty, racism, and the like should have caused *violent* crime, as opposed to the nonviolent (property crime) variety that typifies economic adversity.

The roots of contemporary black violence may be found in the immediate post-slavery history

of African-Americans. When they were slaves blacks were nonviolent; their crimes mainly were petty theft. It is, ironically, in the decades after emancipation that the freedmen, set adrift in the social turmoil of the 19th-century South, turned to violence. When impoverished African-Americans first migrated into Southern cities after Emancipation they were illiterate and unskilled and had few opportunities for social and economic betterment. It was then that young black men developed what historian Joel Williamson called the “street-corner, pool-hall hustling, and petty criminal way of life.” The children of these freedmen, the first generation after slavery, knew only poverty, turmoil and brutality—Ku Klux Klan terrorism, pogrom-like riots, and economic depressions. It was this generation that, in the 1890s, turned to violence, largely directed at other blacks. Such transgressions, unlike crimes against whites (which invited lynching) frequently were ignored, and thereby encouraged by the authorities. This was the origin of the black subculture of violence.

In the 20th century, as poor African-Americans migrated north in search of a better life, they brought with them this criminal subculture. That is why W.E.B. Du Bois, writing about Philadelphia in 1899, called black crime “a vast problem,” which he attributed to “a distinct class of habitual [Negro] criminals.” (See his *The Philadelphia Negro: A Social Study*.) Perpetuated by limited opportunities in the North and continual migration from the South, the black subculture of crime hardened into a seemingly fixed lifestyle.

This black lower-class culture of violence remains the best explanation for black crime, and in large measure, for America's crime story since World War II. Fortunately, and contrary to racist dogmas, culture is not immutable. It responds to social experiences. It changes over time and across generations. And it is the change in the black subculture—a change that developed in the sons and daughters of the black baby boomers and continues today—that best explains the great crime decline.

A New Generation

ASIDE FROM THE CRIME DROP ITSELF, THERE is perhaps no better indicator of this transformation of generations than the change in illicit drug use. From the 1960s to the early 1990s, the ingestion of hard drugs, primarily heroin and cocaine, had become the scourge of American cities. Drug use was not only a mark of social decay; it was itself a major cause of crime. It is estimated that in the late '60s, for example, about one quarter of heroin users committed robbery on a regular basis, primarily to support their habits.

The abandonment of hard drugs by a new generation of African-Americans, a generation raised by drug abusers and exposed to the worst

of urban slum life, is itself a remarkable story. A multi-year study of over 13,000 arrested persons in New York City, overwhelmingly black and Puerto Rican, demonstrated the dramatic change in drug use. The Justice Department funded the interviewing and urine sampling of Manhattan arrestees from 1987-97. Researchers thus were able to determine the proportion of offenders who were using drugs, and as significantly, the types of drugs they used and the ages of the users. The heroin injectors, it turns out, were born between 1945 and 1954. Arrestees born between 1955 and 1969, had turned to a new and more dangerous narcotic—"crack" cocaine—which, when heated in vials, produces a rapid and intense euphoria. By the mid-'80s, crack was all the rage, wiping out the mini-crime drop at the onset of that decade. Crack users repeatedly robbed to support their cravings, which recurred many times each day, as the cocaine high was rapidly and continually followed by a severe dysphoria. The most violent crimes—murder and aggravated assaults—were committed by the crack dealers and their enforcers. Crack helped drive to new heights murder and mayhem in our cities.

Then something quite surprising occurred. Among arrestees born in the late '60s and early '70s, crack cocaine use fell off dramatically. Nearly half of those arrestees who had been born in 1969 had used crack; that figure plummeted to 20% for those born in 1972. What's more, the rejection of crack "stuck" with subsequent cohorts of adolescents. The primary reason, researchers found, was

the *negative* role models in their lives. They clearly do not want to emulate their parents, older siblings, close relatives, or acquaintances who were ensnared by crack or heroin.... [I]t is the ravages that befell the HeroinGen and CrackGen that led them to avoid hard drugs. Those ravages include both deteriorating health as well as increased encounters with police and long prison terms. Thus, stepped up policing efforts may have hastened the transformation of the inner-city subcultures of drug use.

This new generation of African-Americans, fearing imprisonment, addiction, illness, and death, repudiated the worst of the drug menace. It was fear, the essence of deterrence, that changed the culture. And it was the same fear-borne intergenerational cultural change that would drive down crime.

Richard Curtis spent ten years, from 1987 to 1997, conducting ethnographic fieldwork in several Hispanic Brooklyn neighborhoods. He noted first-hand the devastation wrought by drugs,

followed in the mid-'90s by what he called "an improbable transformation," a change motivated by fear of drugs and their consequences.

Many youth had intimate experience with the variety of problems that afflicted their elders as an outcome of involvement with cocaine, crack, or heroin, and they made a conscious attempt to avoid similar fates. Bubbler (seventeen years old in 1996), for example, had witnessed his mother's despair after two older, heroin-using brothers who worked for the corporate owners on Fishman Street became casualties of the war on drugs and were sentenced to lengthy prison terms.... Rather than fulfilling the prophecy of becoming addicted and remorseless "superpredators," the overwhelming majority of kids who grew up in Bushwick in the late 1980s and early 1990s responded to the multiple threats of violence, crime, AIDS and addiction—as most Americans would likely do—by withdrawing from the danger and opting for the relative safety of family, home, church, and other sheltering institutions which persevered during the most difficult years.

Curtis concluded:

The palpable change which washed over the neighborhood beginning in 1993 was initiated and carried through by young residents who, though far from uniform in their responses to those dangers, shared a conviction that they would not succumb to the same fate that nearly erased the preceding generation.

While Curtis is describing a poor Hispanic neighborhood, there is every reason to believe that similar events were occurring in black communities as well. There, not only did crime drop, but other social indicators point to significant positive change. Consider these changes in black youth during the 1990s, the period of the big crime drop:

- Regular church attendance by black 12th graders rose 22%.
- Pregnancy rates for black teens fell by nearly one-third.
- The number of black high school students who reported carrying weapons fell 52%.
- By 2003, more than three times as many white as black 12th graders reported using hard drugs.
- Between 1991 and 2000, the number of 12th graders reporting use of

alcohol, cigarettes, or illicit drugs in the previous 30 days fell by 19% for blacks, 20% for whites.

- From 1997 to 2003, the rate of placement of male juveniles in residences, overwhelmingly because of juvenile delinquency, fell 24% for blacks, 5% for whites.

This account is not without its anomalies. The anti-crack generation didn't all join the church choir; recall that this same cohort was responsible for the crime spike of the early '90s. Nor did they entirely abandon drugs; many turned instead to the "softer" hallucinogen, marijuana. Clearly, however, they abandoned crime at an earlier age than the previous generation. And it is this change in black lower class culture, a nationwide and seemingly sudden development in the mid-1990s, that offers the best explanation for America's great crime decline.

Preserving the Peace

THE AFRICAN-AMERICAN CRIME PROBLEM IS not solved. There remain persistent and frightening pockets of violence in many of America's big cities. The latest crime figures, from 2000 to 2007, are mixed. While black teenage murder rates have risen 21.8%, the rates of the most homicidal group, African-American males ages 18 to 24, have fallen another 4.9%. Still, when we compare the latest figures to those of the early 1990s, the positive overall trends are unmistakable and quite remarkable.

We must, however, avoid the temptation of relaxing our anticrime policies. As crime historian Eric Monkkonen cautions:

The relaxation of the social effort to preserve peace will ultimately lead to rising violence. Then, on the upswing, there will be riots, new suspicion of big cities, and handwringing over the American character. The challenge for the next two decades is to maintain the social effort to preserve peace,...and to consider every homicide deterred a major success.

Just as black lawlessness from the late '60s to the early '90s threatened to unravel the social fabric of this country, the new black law-abidingness could, if we remain vigilant, put the United States on the road to sustainable crime control.

Barry Latzer is a professor at the John Jay College of Criminal Justice and the Graduate Center of the City University of New York. He is writing *America's Crime Story, a history of crime in the United States in the 20th century*.

CIVIL RIGHTS AND THE CONSERVATIVE SOUL

by Hadley Arkes

WILLIAM VOEGELI, IN "CIVIL RIGHTS and the Conservative Movement," spoke some bracing truths about the conservative past, and even of our late friend, Bill Buckley (Summer 2008). They were bracing because they recalled the things truly said, with no attempt to touch them up and make them any the less unlovely than what they were. There were high flown doctrines about "States' rights," with cautions about legislating morality, or respecting the force of those "mores" woven in with the local culture. They were stylish ways of resisting change and fending off moral judgments cast in the law. And they also flew under false colors as doctrines of political morality. They were, in fact, empty of moral substance, and as they were applied to the condition of black people in America, they reflected a grievous failure of that practical wisdom that conservatives professed to prize beyond anything else. Conservatives at the time were nothing if not Burkeans, but it is a cruel irony that they kept exemplifying what Burke taught us to resist: namely, abstract doctrines, reduced to slogans, and applied to the case at hand without prudence or practical wisdom.

But surely that is not the last word to be spoken about Bill Buckley. And that portrait of the conservative movement in the past, so rightly struck, does not give us any telling insight into the "conservative mind" of our own time. As Sam Goldwyn used to say, we've all "passed a lot of water" since then. But I'm writing here of more than the "evolution" of ideas with the changing seasons of our politics. In the sweep of making his case, Voegeli curiously eclipsed, or obscured from view, truths about the conservative movement in America and about Buckley that were far more important—and ran far more deeply—than the faults he managed to recall.

Voegeli intimates, but comes nowhere near explaining, that large nature of Buckley that made him open to moral teaching, even the teaching that challenged at the root the slogans that passed as principles among conservatives. Some of that teaching emanated from the Catholicism he had never failed to take seriously, and that teaching, anchoring his judgment, helped him from getting drawn into the least

humane currents of conservatism. But some of that teaching came with a Jewish provenance from Leo Strauss and his most devoted student, Harry Jaffa. Bill's willingness to encompass the Jaffaites and their teaching on "natural right" had to detach him from the paleo-conservatives, with their nostalgia for the old Confederacy and the *ancien régime* in Europe. Bill respected the argument made with philosophic force for natural right. And that disposition of mind would lead Bill back, even more surely, to the moral ground of the American regime itself. It would become ever more revealing that this moral ground of the regime was rejected and even despised among the conservatives he had venerated in his youth.

But that willingness to take seriously the argument for natural right also illuminated, in a telling light, the deeper split among conservatives in our own day. For it brought into clearer sight the real tension between those who would take things back to the moral truths underlying the American regime, and the votaries of a "conservative jurisprudence," who would constantly look for formulas, for new slogans, that would help us to avoid that appeal to natural right and "first principles." In sweeping past that ground of division among conservatives, Voegeli may fail to see that the moral glibness he finds in the conservative past may be alive and well today in the circles of those who constantly press upon us a jurisprudence consumed with such morally empty slogans as "judicial activism." Among those differences left unnoticed, Voegeli flies past this truth that dare not speak its name: that the civil rights movement has come to be hostile to the American Founding, come to deny the "truth" of "all men are created equal," with the result that the most important spokesmen for black America cannot give an account any longer of the moral grounds of their own rights. And in striking contrast, it is the conservative movement now that can explain, in a far more compelling way, the ground for the rights of black people and the character of the Constitution that was meant to secure those "natural rights," for human persons of all races and at every stage of their lives.

IN THE AFTERMATH OF *BROWN V. BOARD OF Education* (1954), the question had to be raised: was the racial separation of students in schools something wrong in principle, or something whose wrongness would be *contingent* on the outcome? If the students were separated on the basis of race and their reading scores went up, and their motivation improved, would the segregation have ceased to be wrong? The litigating arm of the civil rights movement committed itself to a course of finding the wrong of segregation in the circumstances of each case, and carefully avoiding any statement of the wrong in principle. As a result perhaps of arguing for years in that vein, the lawyers for the movement seemed to lose the sense of how to make that argument in principle. And as the Civil Rights Act of 1964 morphed into "affirmative action" and "racial preferences," the avoidance of any argument in principle became itself one of the adamant convictions of the movement. If it were wrong in principle to assign benefits and disabilities on the basis of race, then those racial preferences would be quite as wrong when they delivered benefits to black people at the expense of whites and Asians. But that is an understanding that has now been rejected as a heresy by black activists, and by people like President and Mrs. Obama, who have obviously benefited quite directly and palpably from this willingness to give preferment and place decisively, even solely, on the basis of race.

Whether racial discrimination is right or wrong is a matter regarded then as wholly contingent on whether it delivers benefits to black people. But the upshot then is: The leading spokesmen for "civil rights" have tutored black people now to understand their "rights" in a manner detached from the most unassailable moral ground of those rights. And as that understanding has been widely absorbed, it has made, of many black people, the most infirm of allies in defending and vindicating the rights of others.

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a notable "minority" group with no power to defend its own interest. And by that I mean those rather small human beings in the wombs of the women who bear them.

James Wilson, in his lectures on jurisprudence, argued that it was not the purpose of the framers and the Constitution to bring forth new rights. The object rather was to secure and enlarge the rights we already possessed by nature. But if we were bearers of those natural rights, when did they begin? Wilson's answer was that they began of course when *we began to be*. And that is why, he said, that the common law cast its protections over human beings from the first stirrings in the womb—from the very moment when it was known that we were there. Wilson recalled the practice, running back to ancient Greece, of exposing newborn infants. But the law in America was part of a radically different tradition: "With consistency, beautiful and undeviating," he wrote, "human life, from its commencement to its close, is protected by the common law." At every step, Wilson's understanding was connected to the very ground of natural rights, in the things that separated human beings from other animals. But that appeal, so evident and so strainless, to that generation of founders, has now been regarded as inscrutable and even dangerous by the leading lights in "conservative jurisprudence."

The people doing conservative jurisprudence do not like to think of themselves as relativists. And their passion for "originalism" marks a deep respect, bordering on piety, for the American Founding. But they have seen many liberal judges soaring untethered as they invoke high-sounding sentiments, and they have come to suspect that appeals to natural right and first principles simply give the judges a cover for imposing their own subjective preferences in the name of the law. And yet, if judges have made egregious mistakes, the remedy is in correcting them. The fact that judges have said zany things in the name of natural right does not prove the falsity of natural right. It rather summons us to sharpen our sense of discrimination as we separate the plausible from the implausible and false renditions of natural right.

If we are to be guided by a written constitution, it makes eminent sense to understand in the first place the meaning of the phrases put down by the men who wrote them, and by those who ratified them as part of the fundamental law. And if we are looking for the most sophisticated rendering of that original understanding, we can hardly do better than becoming students again of Hamilton, Wilson, and Madison. But some of our friends doing conservative jurisprudence would enjoin upon us a reverence for the

founders, even while they regard as inscrutable and meaningless what Hamilton in *The Federalist* called those "primary truths, or first principles, upon which all subsequent reasonings must depend."

With that careful avoidance of first principles—or of any proposition too suggestive of a substantive, moral judgment—our friends speak in high passion of things like "judicial activism." But that hardly explains the substance of what has been done in disfiguring the Constitution. It might well require "judicial activism" to undo the vast damage done in the past. The point is that slogans of this kind, brandished now as the rallying doctrines for conservatives, are as empty as the slogans that conservatives in the past were willing to take as their signature tunes. The contempt that Voegeli expresses for that moral obtuseness of conservatives in the past could be transferred, with the same indictment, to the conservatives of our own day, who seem quite content to distract themselves with formulas of a comparable vacuity.

AND YET...THE CONSERVATIVES IN OUR own time are not trying to preserve a regime of racial apartheid or slavery under the august name of "states' rights." Beyond that, the concern with states and federalism is a serious concern, bound up with a regime of freedom and legal restraints. Voegeli is properly dismissive of the concerns expressed over the years for the misuse of the Commerce Clause. But as Joe Sobran once remarked, "Think of what Stalin could have done if he only had the Commerce Clause." The Commerce Clause was a rough, but useful guide of political economy, in putting some workable limits on the reach of federal power. Clarence Thomas, to my mind, has been amply warranted in his efforts to restore that clause to its older, more defensible meanings. At the same time, that clause is immanently implausible as the ground for the Civil Rights Act of 1964, penetrating past traditional barriers to strike at racial discrimination in private settings. But even the most accomplished conservative lawyers seem hard pressed to explain what the constitutional ground for the Civil Rights Act of 1964 would be were it not the Commerce Clause. I've offered my own, rival account in *Beyond the Constitution* (1990), but whether I gain adherents or not, it must be said that the constitutional ground for the Civil Rights Acts is still a puzzle in our law. Or it remains a puzzle for people who persist in taking seriously that question about the constitutional ground for the reach of federal authority. For Voegeli, that kind of concern expressed in the

past by Barry Goldwater and the Southerners seems so refined as to be deeply implausible in explaining their motives. And it seemed to make little contact with life as it was actually lived in this country.

But even if these people were grandly mistaken, were their concerns here to be ridiculed as illusory or even corrupt? In our own day, we find people affecting to be deeply worried about the erosion of constitutional rights when the government conducts a warrantless surveillance, tracking the patterns of phone calls in the search for terrorist networks, even without listening into the conversations. I think myself that these critics are wrong and wrongheaded. They pose a claim of privacy overly precious, overly selfish, against the constitutional obligation of the government to protect lives. But it is curious that, no matter how feckless and silly these constitutional claims may be, they are not treated dismissively even by those of us who think them wrong. That people may be sensitive, even overly sensitive, to the terms of constitutional principle on which they live is a matter we can take seriously, even when we think they are egregiously wrong. Yet, if we can accord a certain respect to these people, does it really require that much flexing of imagination to consider that some of those conservatives of the '50s might have borne a concern, comparably earnest, for the limits on the reach of the State, and that their concerns did not deserve to be dismissed with an edge of contempt?

There is finally, in the very presentation of Voegeli's piece, a striking fact that should not go unremarked. The essay is offered as a lead essay in a conservative journal; it is an essay that raises the most serious moral critique of American conservatism running back to the 1950s; and the essay has been welcomed and presented in a journal under the editorship of Charles Kesler. Kesler became a dear friend of Bill Buckley, welcomed in the inner circles of the family, and indeed he was with Bill not long before he died. As a young writer, contributing to *National Review*, he praised Harry Jaffa and the moral perspective that Jaffa, with his Straussian lens, would offer on American politics. Charles was welcomed within Bill's household precisely because Buckley had opened himself to what Jaffa, so brilliantly, was teaching. Bill had made it clear that the Jaffaites had a critical standing within that conservative movement he had broadened and shaped. And as members of the family, they had an undeniable place now within that large family quarrel over the soul of conservatism in America. Whatever could be said, then, about Bill's missteps, or his misjudgments, in his younger days, we cannot take those early days as the defining marks of the conservatism

that he managed to bring forth for our own day, with his gifts of civic friendship and his own, matured judgment.

Hadley Arkes is the Edward Ney Professor of Jurisprudence at Amherst College.

CONSERVATIVE DILEMMA

by William Voegeli

I APPRECIATE THE CAREFUL ATTENTION GIVEN to my essay by Professor Arkes. I might be flattering myself—or I might be simply missing the point—but his letter strikes me as adding important details and context to the sketch I drew in that essay, rather than erasing some of its lines to draw new and better ones. That is to say, there's nothing in Arkes's letter that I really disagree with, and I take him to be saying that he found my argument to be incomplete rather than incorrect. I can easily accept that criticism, since my essay was not meant to be "the last word spoken about Bill Buckley," nor to treat the opinions Buckley expressed about civil rights between 1955 and 1965 as conservatism's "defining marks."

One point deserves clarification. Prof. Arkes seems to be ascribing a harsher tone than I intended to my treatment of conservatives' anti-Big Government arguments against the civil rights agenda. I did not mean to ridicule their concerns about expanding government's powers as illusory or corrupt, or to dismiss those concerns with an edge of contempt. Rather, I tried to convey that the principles conservatives invoked were deeply held and serious, rather than cynically embraced to defend an indefensible policy preference. I agree with Arkes that the constitutional grounds for the federal government to correct the abuses the civil rights movement placed on the national agenda are a "puzzle," and that the need for "some workable limits on the reach of federal power" remains a very important concern. The most critical thing I tried to convey about the civil rights era conservatives in this connection was that too many of them treated the constitutional reasons to reject civil rights laws as sufficient reasons to disregard civil rights problems. This dereliction was, as Prof. Arkes contends, a perversion of the Burkean disposition, and a "grievous failure" of practical wisdom.

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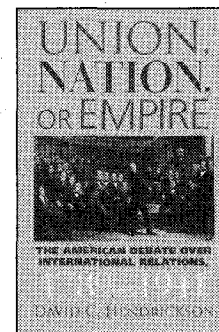
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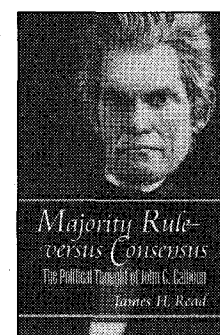
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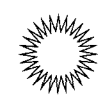
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VOTING RIGHTS AND WRONGS

Deconstructing the Republic: Voting Rights, the Supreme Court, and the Founders' Republicanism Reconsidered, by Anthony A. Peacock. AEI Press, 218 pages, \$25



ANTHONY PEACOCK, A POLITICAL SCIENTIST and lawyer, provides a thorough account of the interactions between the modern Supreme Court and Congress on voting rights. This circuitous and complex history does not always make for easy reading, but it is an important and in many ways amazing story. It begins in 1962 with the “one person, one vote” decision in *Baker v. Carr*. Although Peacock does not see *Baker* itself as a threat to the founders’ republicanism, he argues that it set the stage for grave future harm by institutionalizing the notion that “the judiciary had the intellectual wherewithal to rationally reconstruct America’s republican institutions with a view to achieving greater political fairness.”

Putting this idea to work in construing the Voting Rights Act of 1965, the Court, according to Peacock, changed a law protecting ballot access into one aiming to achieve fair representation for certain minority groups. Subsequent amendments and interpretations have led to the present situation in which states and localities are required to assure adequate vindication of the putative interests of various racial blocs. This has resulted, argues Peacock, in congressional remedies that are not in fact aimed at intentional acts of discrimination or even at the acts of government at all. And these remedies require the government to group people into racial enclaves.

Relying almost entirely on Madison’s republicanism to describe the founders’ thinking, Peacock details how an activist Court and, to a lesser extent, Congress have undermined the Constitution’s original design. They have distorted the principles of the separation of powers and federalism, for example, and subordinated the true interests of the country to the satisfaction of specific interests of defined groups. They replace the Madisonian idea of individual rights against government with the notion of group rights to affirmative governmental entitlements. They inflame passions by making racial identity, rather than commercial interests, the cen-

tral pivot of political conflict. Not to mention the distortions in the principles of separation of powers and federalism created by an activist Court and heedless Congress.

Despite what some—in this age of the administrative state and cynical politics—will view as his dreamy invocation of Madisonian republicanism, Peacock’s focus is not narrow. He recognizes that the Court’s voting rights program and multiculturalism more generally have deep intellectual roots, and he traces several of them back to German historicism and the American Progressive movement. Even within the arena of American constitutional law itself, Peacock usefully relates the voting rights decisions to cases dealing with affirmative action and Congress’s power to enforce the Civil War amendments. Still, his book raises a number of questions about judicial review in the modern era that it does not attempt to answer.

ONE SUCH QUESTION IS THE DEGREE TO which the Court’s remarkable performance on voting rights bears similarities to its decisions in other areas of constitutional law. In this regard, Peacock’s account of the voting rights cases certainly brings to mind the judiciary’s long campaign against school segregation. That struggle began with *Brown v. Board of Education* (1954), a landmark decision that was intellectually audacious but did not necessarily entail the judicial excesses that eventually occurred. The school desegregation movement, like the voting rights decisions, eventually lost its regional focus and became nationwide. Moreover, though in theory the busing decisions were limited by the requirement that the remedy correct intentionally illegal government acts, as a practical matter the decisions often presumed intent and were designed in large part to compensate for the acts of private individuals. More broadly, it is certainly possible that the kinds of harms to Madisonian republicanism that Peacock traces to the voting rights decisions are inherent also

in many other areas of constitutional law. The Commerce Clause decisions, for instance, have permitted almost limitless national power, and the Establishment Clause cases may well have heightened religious conflict.

Peacock’s discussion of the congressional power to enforce the 14th and 15th Amendments likewise invites thought from a wider perspective. He suggests that the Voting Rights Act is ripe for a constitutional challenge because its protections today are not, as the Court requires, congruent or proportional to any constitutional violations. This assumes, reasonably enough, that the Court’s definition of Congress’s enforcement power is aimed at protecting the states from excessive national power. However, it is at least possible that the Court’s decisions in this realm seek primarily to safeguard its own increasingly exclusive power to interpret the Constitution. If so, a challenge to the Act would be futile since its expansive reach is consistent with and, indeed, responsive to prior judicial decisions.

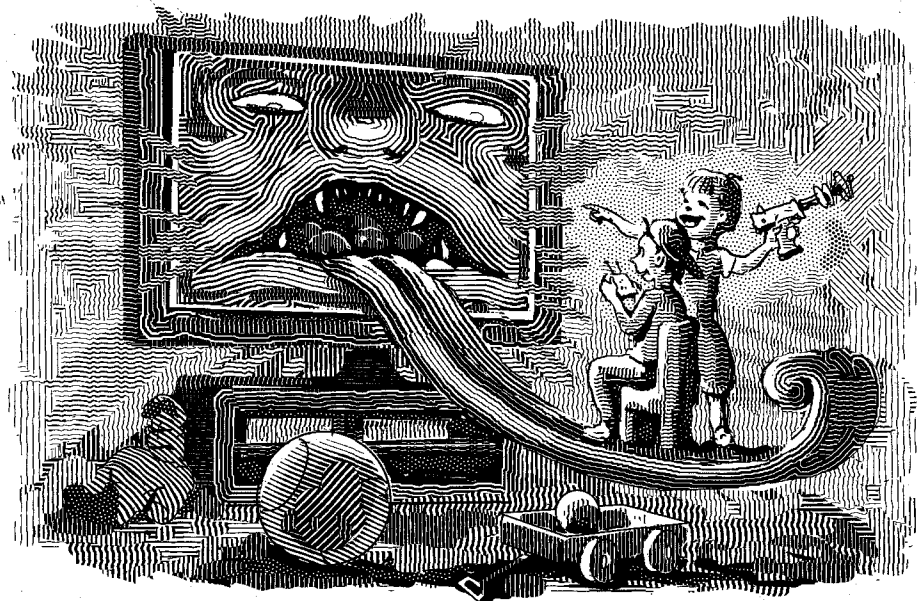
These questions about the Court’s overall record and the influence of the Court’s view of its interpretive role point to another significant issue that lurks around the book’s edges. Why is it, as Peacock notes, that conservative justices like Antonin Scalia, John Roberts, and Samuel Alito have been so reluctant to reverse the Court’s dangerous course on voting rights? Although a full discussion of this would surely have taken Peacock beyond his chosen topic, he does provide the fascinating suggestion that the Court’s record is partially a consequence of “its symbiotic relationship with the voting rights bar and the academic community.” To the extent this is so, the underlying problem—which one would expect to extend far beyond voting rights—is professional and philosophical more than ideological.

Robert F. Nagel is the Ira C. Rothberger, Jr., Professor of Constitutional Law at the University of Colorado Law School.

Book Review by Dorothea Israel Wolfson

GROWING UP FAST

Freedom's Orphans: Contemporary Liberalism and the Fate of American Children,
by David L. Tubbs. Princeton University Press, 248 pages, \$60 (cloth), \$20.40 (paper)



THAT YOUNG CHILDREN ARE IMPRESSIONABLE is hardly news to any parent, but there are moments when it is really brought home. Last year, we took our children to the Memorial Day parade in Washington, D.C. When we returned home, our four-year-old son began gathering household props and became before our eyes a soldier, a drum player, a horse—even the man who scooped up horse manure along the parade route.

I was reminded of lines from Walt Whitman's "There Was a Child Went Forth."

There was a child went forth everyday;
And the first object he look'd upon, that object
he became;
And that object became part of him for the day, or
a certain part of
the day, or for many years, or stretching cycles of
years.

Whitman captures the child's sensitivity to the world—a child embraces the world and is fundamentally shaped by it. The poet focuses chiefly on a child's encounter with the natural world—spring lilacs, morning glories, apple blossoms, the "wholesome odor" of a mother as she goes about her work. His point is that children are passionate, sensuous creatures who lack filters and thus absorb the world with an intense indiscriminateness.

When children nowadays go forth into the world, however, they are likely to encounter

more than Whitman's pretty lilacs and blossoming trees. They encounter, among other things, violent video games, pornographic internet sites, and sexually explicit and violence-soaked music—and that's just in the safety of their homes and under the watchful, caring eyes of their parents. Though our age seems in certain respects child-centric—we helmet our children, shuttle them to after-school activities, and bubble-wrap their self-esteem—ours is in fact an R-rated era. Adults today seem unwilling to serve as filters for their children, whether out of selfishness, indifference, or just plain ignorance. We have abandoned the ancient and necessary chore of scooping up the manure and minding the culture, leaving our children to become whatever they should happen upon.

WHY AND HOW THIS HAPPENED IS THE subject of David Tubbs's new book, *Freedom's Orphans: Contemporary Liberalism and the Fate of American Children*. Tubbs, a former social worker and now an assistant professor of politics at King's College in New York, argues American constitutional doctrine has become so preoccupied with the rights and freedoms of adults that it has largely lost its concern for the moral well-being of children, the group most vulnerable to public immorality. His goal is to figure out what led contemporary liberalism down this path of wholesale child neglect.

Much of the problem, he argues, can be traced to the predilections, beginning in the 1960s, of contemporary political and legal theory. It was at this point that liberal scholars began to embrace the untrammelled freedoms of what Isaiah Berlin described as "negative" liberty. Whereas 19th-century liberals, such as J.S. Mill and Alexis de Tocqueville, saw a link between personal responsibility and freedom, contemporary liberals such as Ronald Dworkin, Stephen Holmes, Thomas Nagel, and George Kateb, have, in Tubbs's view, embraced a narrower rights-based individualism. This newer liberalism rejects legislation aimed at sustaining public morality. The older liberalism considered such legislation an aid to freedom: by helping children grow into self-governing citizens it made a contribution to ordered liberty. Today's liberalism has no room in its analysis for such a dialectical understanding, condemning such laws as obstacles to individual autonomy.

In the newer liberalism, individuals—not the state—must judge what is good or bad. This leads, as Tubbs explains, quoting the political theorist George Kateb to "the promiscuous acceptance of one thing after another." This "promiscuous acceptance" of all things short of tangible harm to the individual, Tubbs explains, has led to a peculiar "moral reticence." Adults have been liberated to pursue whatever their grown-up hearts desire, unencumbered by the needs of children, who become an afterthought, at best. Indeed, Tubbs suggests that for the theorists of

this newer liberalism “the archetypal figure in political society is the adult citizen, living in a world where only adults are present.” From this idea’s pervasiveness he concludes that “contemporary liberalism has a bias against children.”

Others before Tubbs have bemoaned such moral lassitude and proposed solutions like a religious awakening, revitalized civil society, restored patriotism—or a culture war. One might have thought that Tubbs too would have recommended one of these routes to reform. But instead he embraces “values-pluralism”—and seeks to bend it to his purposes.

A relatively new philosophy, values-pluralism posits that as central as liberty is to the liberal project, it does not enjoy “lexical priority” over other competing values and goods that contribute to human flourishing. A value-pluralist approach certainly recognizes the importance of personal freedom and individual rights; however, it weighs those goods against other competing goods such as the interests of children, says Tubbs. Under the dispensation of values-pluralism, communities could choose the safety interests of children over the free-love interests of adults.

TUBBS’S BOOK IS IN MANY RESPECTS AN extended meditation on some of the leading theorists of contemporary liberalism, including Susan Okin, who plays a pivotal role in his analysis, taking up one of the book’s longest chapters. Tubbs seems to have a love-hate relationship with her. On the one hand, he praises her appreciation of the significance of children and the family and her “urging liberal theorists to give more attention to the family and for stressing the political relevance of family life.” On the other hand, Okin plays the villain for Tubbs in so far as she tends to elevate the freedom of women above the welfare of children.

In *Women in Western Political Thought* (1979) and other works, Okin argued that liberal theories like John Locke’s shared hidden and not-so-hidden patriarchal assumptions and adopted false gender-neutral language to hide the fact that the social contract was for adult males only. The social contract relied on a traditional division of labor between the sexes, a division that ultimately saddled women with the role of housewife. Those who sought “to have it all” inevitably bumped into the “glass ceiling.” Okin’s solution to these inequities was to call for a re-education of liberalism—to make it genuinely genderless. This would entail, for starters, educating children about the injustice of gender stereotypes, and creating a new welfare state, one that redresses gender inequities.

Although he objects to most of Okin’s program, Tubbs accepts parts of it and acknowledges that he shares her larger approach. For example, he endorses one of Okin’s more radical policy proposals—requiring employers to split a husband’s paycheck, making half directly payable to the housewife for her work at home. For Okin, this makes the housewife less economically vulnerable, especially in cases of divorce. But wouldn’t this then be a case, to borrow a line from Marx, of tearing away the “sentimental veil” of the family and reducing “the family relation to a mere money relation”? It seems Tubbs has forgotten one of his book’s central goals, namely, to advance a type of “moral or cultural conservatism that recognizes that children’s welfare can all too easily be sacrificed to the ideology of the market.”

Tubbs shares something else with Okin and modern feminism: the desire to unveil liberalism’s hidden assumptions and then to construct a purer movement, one that takes into account (in his case) the interests of children. Even as there are problems with the feminist view that liberalism is tainted by its patriarchal roots, however, so too are there problems with Tubbs’s claim that contemporary liberalism is the root cause of cultural neglect. He barely pauses to consider whether our shoddy culture really can be blamed on Ronald Dworkin. He pins the blame on liberal academics without considering whether the real problem is modernity itself—the two, after all, are not identical. Technology—from television and the internet to the Pill—may have more to do with our R-rated culture than does any scribbler. Similarly, the decline in religion’s institutional authority obviously has added to the cultural deliquescence. Tubbs no more succeeds in laying the blame for child neglect at liberalism’s door than feminists do with the blame for gender inequality.

TUBBS INSISTS THAT HIS BOOK CONTAINS no religious agenda, but was inspired by his experience as a state investigator for child support cases. I’m perfectly willing to accept his denials; yet one can’t help detecting a religious fragrance throughout the work, a religious sense of unease with liberalism itself, evident, for instance, in Tubbs’s extended defense of old state laws banning contraceptives to married couples (though he acknowledges we are too far gone to reinstitute them).

Tubbs’s disenchantment with liberalism is also on display in his insightful discussion of First Amendment jurisprudence. He points out an apparent inconsistency in the Supreme Court’s recent rulings in this area. In cases involving the Es-

tablishment Clause, e.g., *Lee v. Weisman* (1992), the Court assumes that children are highly impressionable and needing protection from state-sponsored expressions of religious faith. Yet in cases like *Cohen v. California* (1971) involving a child’s possible exposure to obscenity and pornographic images, the Court assumes that children are resilient and can, like adults, “avert their eyes” and manage their impressions. Rather than arguing that the Court can’t have it both ways, however, Tubbs suggests that from the Court’s “liberal-individualist account of the human person” the two rulings may be consistent. Having made negative liberty its lodestar the Court aims, above all else, at the avoidance of compulsion—whether in matters of religion or sex.

The response of the classical liberal tradition to the Court’s rulings would have been straightforward enough. There was in this tradition a keen awareness of the impressionability of children, which partly explains the tradition’s efforts to shield not only children but adults as well from state coercion in religious matters. That we now even debate the question of whether children ought to be exposed to obscenity would have been incomprehensible to liberalism’s early theorists. For Tubbs the matter is not so straightforward, however. He is willing, for the sake of argument, to “assume” that the Court’s Establishment Clause cases were “correctly decided,” but it’s a grudging endorsement at best. One suspects that Tubbs would welcome a constitutional jurisprudence that shielded children from obscenity but not from religious influences.

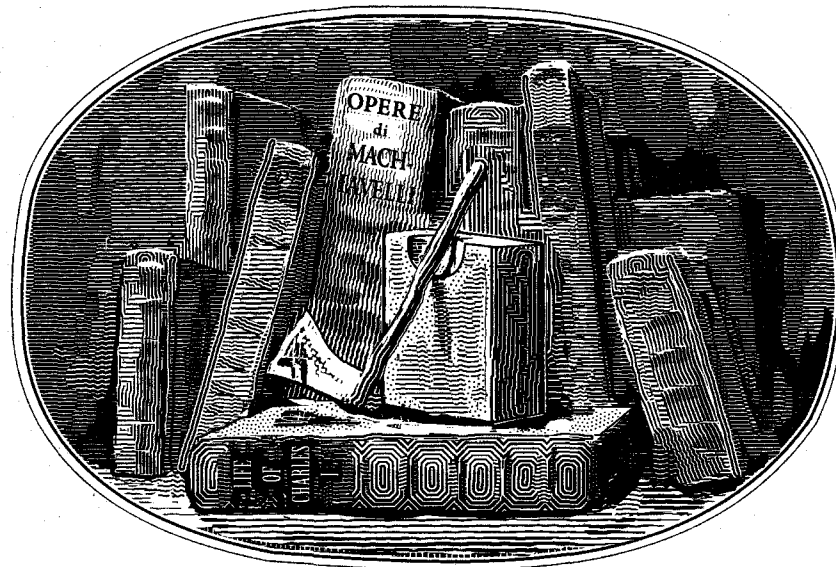
Perhaps this explains Tubbs’s rather odd turn to values-pluralism—because it provides the opening to positive liberty, and especially to religion, that classical liberalism never did at least as centrally and deeply as he’d like. Values-pluralism, he seems to believe, will allow religion to reenter the liberal garden. I have my doubts about this, and even if values-pluralism did provide such an opening, the religion(s) let in may not be congenial to Tubbs’s and other American conservatives’ most basic cultural concerns. Religion, particularly in our post-9/11, postmodern age, can take many surprising forms. To be sure, Tubbs has written a fine, valuable polemic, one that rightly highlights the precarious place of children in our promiscuous age. But I prefer to have my polemics, whether of the religious or the liberal species, served up straight.

Dorothea Israel Wolfson is the associate program chair at Johns Hopkins University’s Washington, D.C. Center for the Study of American Government.

Book Review by James Hankins

REPUBLIC OF DEVILS

Against Throne and Altar: Machiavelli and Political Theory Under the English Republic,
by Paul A. Rahe. Cambridge University Press, 432 pages, \$90



THE TERM "REPUBLIC" IS BY FAR THE MOST popular designation for governments in the world today, and is more popular now than ever. To take an obvious measure, of the 192 member-states of the United Nations, 149 (about three-quarters of them) attach some constitutional description to their geographical names, and of these, at least 123 call themselves republics. Four are commonwealths (a slightly older synonym for republic), while only 22 call themselves kingdoms or principalities. To be sure, the word republic broadly indicates a government that represents the will of the people, but it can stand for a wide variety of constitutional arrangements and political realities. States that describe themselves as republics include, for example, all the members of former President Bush's "axis of evil": The Democratic People's Republic of North Korea, the Islamic Republic of Iran, and of course the Republic of Iraq, now a parliamentary democracy.

Nevertheless, it is clear that the word republic is one with powerful positive connotations. But as readers of *The Federalist* will know, this was not always the case. Among members of the founding generation, republics were regarded by most students of history as unstable and short-lived arrangements of questionable legitimacy, chiefly suitable for territories no larger than a city-state. The vast majority of states in the 18th century were monarchical. So the Constitutional Convention's attempt to found a "great republic" over a territory as large as the 13 former

British colonies in North America, was bound to be met with skepticism. The only previous experiment in founding a great republic, the English Commonwealth of 1649–1660, was not deemed a success by most political thinkers of the time; and even today it is hard to regard Cromwell and the Commonwealth highly. Yet, as Paul Rahe shows in his stimulating and important new book, *Against Throne and Altar*, it was precisely the political theory of the English Commonwealth that provided the ideological resources exploited by the designers of the American republic.

Against Throne and Altar sets out to explain the genesis of British republican thought and to suggest some reasons why it was later embraced by the generation of the founders. Rahe's account of its origins is not the usual tale told by a historian. Most trace the origins of early modern European republicanism back to the Italian *comuni* of the 12th and 13th centuries. The translation into Latin of Aristotle's *Politics* around 1260 gave these city-republics a political theory, and during the Renaissance the humanist movement—conscious of its resemblance to the ancient Roman republic—gave them an historical vision. The greatness of Rome, in the view of Renaissance civic humanists, was a consequence of Rome's republican institutions, so the revival of republican government would in their view lead to the revival of Roman culture and imperial grandeur. Or so it was hoped. This Italian Renaissance republicanism,

famously expounded by Machiavelli, was in due course passed down to Britain and early modern Europe (at J.G.A. Pocock's "Machiavellian moment"), by thinkers like James Harrington, who drew on Machiavelli's civic humanism to provide the ideological underpinnings of the English Commonwealth, and later the American Founding.

PAUL RAHE'S STORY IS A VERY DIFFERENT one. A professor of history at Hillsdale College, Rahe is the author of the massive and highly regarded *Republics Ancient and Modern* (1994). He starts from the Straussian premise that ancient and modern republicanism are two species of statecraft so different that the use of the word republicanism for both is almost an equivocation. Ancient republican thinkers like Aristotle took for granted the natural inequality of men in virtue and wisdom. Their goal was to arrange constitutions so that the wisest and most virtuous men would be in charge of politics, regulating the passions of the less virtuous as reason regulates the passions and appetites in the soul of a good man. Freedom meant freedom from the passions—the freedom to be rational and therefore good. In free constitutions, rational discourse about the state was conducted in public, which led in uncorrupted politics to harmonious rule by the best, and a competition among citizens to serve the common good. The goal of the polity was realized when the few best were able to pursue

the godlike activity of philosophy, when the better men could achieve honor, and when the rest could obey and be content. Men were by nature political animals and only achieved their full potentiality as human beings by sharing in their own rule, to whatever degree their natures permitted.

Rahe, following Leo Strauss, believes that a new species of republicanism appeared on the scene with Machiavelli. Jettisoning the spiritual goals of the ancients, this new republicanism was born in the Christian and commercial societies of Renaissance Italy and driven by the desire to satisfy material wants in this life, which in turn required power and empire. Political wisdom meant knowing how to satisfy the desires of the people, and of this the people themselves were the best judge. So political wisdom lay with the people. Human beings had two humors: those who wished to rule others and those who wished to be left alone to seek private satisfaction. (One might see here the roots of positive and negative liberty.) The best modern republic was one in which those who ruled were forced to serve the interests of the many who were ruled, and to satisfy their wants. Like Hume, Machiavellian republicans thought reason to be the slave of the passions. Virtue they redefined as *virtù*—as know-how, the ability to get things done. Since participation in self-rule was not thought necessary to human fulfillment and happiness, contra the ancients, it was sufficient to have the people represented by elected officials (as the 17th-century Machiavellians discovered). The people do not need to act as magistrates themselves, it was thought, in order to enjoy the benefits of republican government.

IN MACHIAVELLI'S VIEW THERE WAS ONE GREAT obstacle to achieving the goals of "modern prudence"—i.e., power and plenty—and that obstacle was the political power of the Church, along with the influence of revealed, dogmatic religion more generally. The Church used its political power to undermine loyalty to the state; its cultural power to weaken military virtue, imperialistic expansion, and to make men place their good in the next life. Christianity, Machiavelli thought, made republics weak and degenerate. Rahe goes further and makes the dubious claim that Machiavelli was against all religion as destructive of political *virtù*. In fact Machiavelli was (like one of his sources, Polybius) a great admirer of Roman religion and may well have believed, like many other men of his day, that the Christian religion could be reformed to be salutary to rather than destructive of republics. If the latter is the case, Machiavelli

would turn out to be a faithful disciple of Lucretius, whom Rahe plausibly identifies as a key influence on the Florentine's cosmology. But Rahe claims more questionably that Lucretius was an atheist, a view with which few historians of ancient philosophy would concur.

For Rahe, the modern, Machiavellian form of republicanism is deeply incompatible with dogmatic Christianity, which means that intelligent proponents of the Machiavellian republic must have understood that Christianity would have to be destroyed in order for a successful modern republic to emerge. So Rahe's book contains, alongside his account of the genesis of the political thought of the English Commonwealth, a second—one is tempted to say a more esoteric—story about the nature of political deliberation and the deep origins of the Radical Enlightenment. In antiquity, philosophers and enlightened statesmen were conscious that the uneducated and passionate "many" could not be told the real, rational reasons for the institutions and customs imposed upon them by the wise. One could only communicate with them through myths, fables, legends, and poetry; through poetical and rhetorical arts that worked on their passions rather than appealing to their intellects; and in certain cases through Platonic noble lies. The example of Socrates showed the fate of philosophers who tried to speak wisdom directly to the people. After the political triumph of the monotheistic religions in late antiquity and the early middle ages, philosophers again had to conceal their true philosophical beliefs about God, nature, and morality. Philosophers like Maimonides, al-Farabi, and Averroës and the Western Averroists are, in Rahe's idiosyncratic interpretation, secret infidels who believed religion salutary and necessary for the common people. They believed that philosophers should reserve wisdom for the wise, at best attempting to mitigate the worst superstitions of dogmatic religion from behind the scenes.

According to Rahe, the growing appeal of modern, Machiavellian republicanism to a few bold spirits helped put the informal truce between philosophers and the many in jeopardy. It led to the formation of a loose party of liberty consisting of Averroists, political Epicureans, Baconians, and *libertins* who saw the destruction of dogmatic religion as a precondition for a successful modern republic. Rahe thus works very hard to show that the makers of modern republicanism in Commonwealth England were secretly (or not so secretly) of an atheistic and libertine disposition. He is persuasive in

the illuminating chapters on Marchamont Nedham, a journalist whose political writings contain startling anticipations of the political thought of the American Founders. Elsewhere he is less so. John Milton is implausibly maintained to be "a thoroughgoing and highly circumspect infidel" in a long chapter festooned with "maybes" and "could haves." Though Rahe admits his view of Milton is just a "hypothesis," one is inevitably reminded of the definition of a conspiracy theorist as someone who cannot tell the possible from the probable. In any case, since the previous chapter proves (successfully, to this reviewer's mind) that Milton was a classical republican, not a modern one, Milton's alleged infidelity is ultimately unnecessary to Rahe's broader argument about the atheist roots of modern republicanism.

There is a more interesting, indeed, a fascinating problem to which Rahe only gestures near the end of his book. This is the transformation of the various medieval and Renaissance strands of philosophical infidelity, most of them politically quietist, into a movement to destroy dogmatic religion. Rahe's study suggests that the establishment of a Machiavellian republic that would satisfy the passions of the people more effectively is a key element in the genesis of what today is called the Radical Enlightenment (to distinguish it from the more moderate Enlightenment that sought only the reform of religion and was compatible with monarchy). To explain the Radical Enlightenment, most historians invoke a long list of preconditions including at least the invention of the printing press, the wars of religion, and the dramatic changes in scientific thinking that occurred over the course of the 17th century. Rahe sees the Radical Enlightenment not as a mere reaction to preconditions but as something *voulu*, intended and planned for from the time of Machiavelli by a virtual society of *esprits forts* extending across many generations, a series of men who knew what they wanted and what to do in order to get it. In the end, Rahe suggests, the founders accepted the Machiavellian political theory of the English Commonwealth, not because it had been successful in the past (it hadn't), but because they thought it was the most enlightened and advanced political theory of the day. They too were Machiavellians. They had the boldness to believe that their statecraft could succeed in establishing "new modes and orders" where their British ancestors had failed.

James Hankins is professor of history at Harvard University.



Clever, Enduring Odysseus

“THE ODYSSEY,” WROTE THE GREAT Homer scholar G.S. Kirk, “can be read without having to try too hard and without special preparation.” Compared with the heroic grandeur of the *Iliad*, the adventures of the wily Odysseus can indeed seem a mere crowd-pleasing romance: travelers’ tales, folklore monsters, exotic islands, *femmes fatales* both mortal and divine, and domestic drama complete with a happy ending—these are the stuff of boys’ novels and other light diversions. Yet for all its entertaining accessibility, the *Odyssey* is conceptually very ambitious. Homer’s theme in the *Odyssey* will become the central question of later Greek philosophy: what makes us human beings?

In their classic efforts to answer this question, 5th-century Greek philosophers follow Homer in pondering how culture and nature (in Greek, *nomos* and *physis*) relate to each other as they converge in human identity. How do our time- and body-transcending minds relate to our physical bodies with their passions and appetites rooted in space and time and subject to change and chance, suffering and death? As a point of departure for their wide-ranging inquiries, the philosophers return again and again to Homer’s poetry.

Hard World

HOMER’S FIRST INSIGHT INTO HUMAN identity is that it is created in part by our existence in an inhuman natural world. Like the Aegean and Mediterranean seas Odysseus must sail, where sudden storms can destroy a ship in minutes, nature is an arena of powerful destructive forces, a harsh world of

storms, predators, and plagues, a place where sustenance is scarce and grudgingly given, where even a rich king like Odysseus must wander, begging for his bread. We survive in this world not because of our physical strength, for compared to nature’s power and the other animals we are pitifully weak, slow, and soft. We survive and flourish because of our minds and what our minds create—cities, laws, institutions, and technology—culture, in short, all those things that purely or merely natural creatures do not enjoy.

These existential facts explain Odysseus’s defining qualities, cleverness (*polymêtis*) and endurance (*polytlas*). Unlike the typical iliadic hero—“swift-footed” Achilles or “huge” Ajax—Odysseus’s most important characteristic is mental, not physical, which partially explains the antipathy to Odysseus on the part of both Achilles and Ajax. Those heroes prefer to make their way in the world through sheer violence, whereas Odysseus relies more on trickery, rhetoric, and disguise. This contrast between cleverness and violence is frequently dramatized in the *Iliad*, especially when Achilles and Odysseus quarrel over how Troy will be taken, by brute force or trickery. As we all know, it is Odysseus’s trick of the wooden horse that brings about the city’s fall.

Odysseus, then, is an intellectual hero of sorts, his journey not just a physical movement through space and time but also a journey of knowledge—“many were they whose cities he saw, whose minds he learned of” (quotations throughout are from the Richard Lattimore translation, which is the most faithful to the Greek). But this knowledge has a practical purpose: given the overpowering forces of nature, human physical strength alone is not sufficient for survival. We rely instead on

our artful minds and how they can learn and adapt to and alter what we find in the world to make it serve our ends.

Odysseus’s other representative quality, endurance, is also made necessary by the harsh world into which we are thrown. Before we can figure out how to survive, we first have to be able to take the pain and suffering we experience. No scene in the *Odyssey* shows us Odysseus’s endurance better than the 200-line description in Book V of the storm that destroys his raft and forces upon him a desperate struggle to reach land. Nearly drowned by waves that drag him over rocks that tear the flesh from his hands, Odysseus keeps on fighting until he reaches the shore. But it is not just his prowess at swimming or even his ability to endure pain that saves him: he would have perished, Homer tells us, “wretched, beyond his destiny, had not the gray-eyed goddess Athene given him forethought,” the mental sharpness that sees the mouth of a river into which he swims to safety. We must be able to endure the suffering inflicted by a hard world until our minds can figure out a way to survive.

Wretched Belly

YET THE DESTRUCTIVE FORCES OUT THERE in the world that we have to endure and use our minds to circumvent are not the only challenges we humans face. For within us are the equally destructive passions, appetites, and irrational impulses of our animal-like bodies. They too must be endured and resisted, compelled to give way to the mind’s control. Throughout the *Odyssey*, disaster is visited on those who do not control their appetites and impulses, and hunger is the natural need that



Homer most often emphasizes. On practically every page, someone is eating or talking about eating, and destruction often follows for those who eat the wrong things or at the wrong time. Odysseus's men eat the lotus-flower and forget their home and identity; they eat the forbidden oxen of the sun-god Helios and die; they eat the feast of Circe and are turned into pigs. For more than any other need we have, hunger—what Odysseus calls the “wretched belly, that cursed thing, who bestows many evils on men”—makes us dependent on a natural world that begrudges us the means of survival. Sexual desire and greed, too, bring destruction on those who cannot resist their force. The 108 suitors occupying Odysseus's palace are monsters of consumption, devouring his flocks and cattle, corrupting his maids, plotting to murder his son Telemachus, and attempting through force to possess his wife Penelope—just about every time we see them, they are feasting and drinking amidst the remnants of slaughtered animals. When she appears before the suitors in Book XVIII, “their knees gave way, and the hearts in them were bemused with passion,” Homer writes, using the same metaphor he uses in the *Iliad* to describe a warrior's death. Indeed, Odysseus will “loosen their knees” when he slaughters all the suitors, their deaths

the direct consequence of their appetites. This strength to endure one's own “slavish and brutish” appetites, as Aristotle calls them, this power not to act on those bestial impulses, no matter how painfully insistent, because the mind can see the destructive consequences of such action, is the virtue the Greek philosophers will call *sôphrosunê*, the “rational self-control” only humans possess. Odysseus's qualities of endurance and cleverness converge in this most humanizing virtue, and throughout the epic his survival is clearly a consequence not just of physical endurance and mental cleverness, but also of his ability to resist his own powerful passions and subordinate them to what his mind knows is the best course of action. One of the best illustrations of this virtue occurs in Book XX. Disguised as a beggar, Odysseus has just had a conversation with Penelope in which has been hatched the plot to destroy the suitors the next day. As he beds down for the night in his courtyard, he witnesses the treacherous maids sneaking out to sleep with the suitors. “His heart was growling within him, like a bitch defending her puppies,” goading him to kill the maids for their outrage. But Odysseus

struck himself on the chest and spoke to his heart and scolded it:

“Bear up, my heart. You have had worse to endure before this
on that day when the irresistible Cyclops ate up
my strong companions,
but you endured it until intelligence
got you out of the cave.”

In this simile, his righteous anger originates in an animalistic impulse, as the comparison to the dog makes obvious. Yet that irrational impulse is not choiceworthy, since the plot has been laid to destroy the suitors the next day, and if Odysseus were to act now he would be exposed and the plot would fail. He knows this, and so he must scold that impulse, control it the way a man does a growling dog with a cuff or a kick, and subordinate it to the mind's knowledge of context and consequence. For the moment, he must endure the anger within him aroused by the treachery of his maids, and then he must rely on “intelligence” (Lattimore's translation of Homer's *mêtis*, “contrivance” or “trick”) to prevail in the rigged contest with the bow that will take place the next day. Like Odysseus, we humans survive and flourish because we have such a rational virtue that restrains our natural impulses, and because we have minds that can think up ways of getting around the destructive forces of the natural world.

Cyclops and the Second Thought

THE MOST POPULAR ADVENTURE IN THE *Odyssey*, the encounter with the monstrous Cyclops Polyphemus, also happens to be the one where Homer's vision of human identity is best illustrated. Every detail in the description of the Cyclopes emphasizes how inhuman they are, for everything Odysseus tells us they lack is precisely what makes humans human. They have no technologies like agriculture and shipbuilding, no laws, no political institutions, and no communal "ties that bind." In short, the Cyclopes have no culture to mediate their savage natures. They are pure natural force and appetite, which is why Homer makes them physical monsters, giants with one wheel-like eye, "endowed with great strength, and wild, with no true knowledge of laws or any good customs." When Odysseus and his men encounter Polyphemus, the inhuman savagery of the Cyclopes is made explicit by the monster's action: he suddenly snatches up two of the Greeks

and like a lion reared in the hills, without leaving anything,
ate them, entrails, flesh, and the marrowy bones alike.

Such a monster is not going to be defeated by force alone. But before Odysseus can figure out how to get his men out of this death trap, he must resist his own impulsive wrath aroused in his "great-hearted spirit" by this brutal and contemptuous challenge to his honor. After Polyphemus falls asleep, Odysseus creeps up to him and feels for the vulnerable spot to plunge his sword—"but the second thought stayed" him. With the monster dead, there is no way Odysseus and his men could drag away the huge stone blocking the mouth of the cave. Nothing better illustrates our defining essence as human beings than what Homer calls the "second thought," the consciousness of consequences that restrains our passions and thus prevents us from foolish actions.

What saves Odysseus is not violence alone but the trick he thinks up, which requires for its execution every defining human characteris-

tic we are told the Cyclopes lack. After getting the monster drunk on wine, Odysseus sharpens with his sword an olive-wood stake, then puts it into the fire until it glows red-hot—a use of nature that is the essence of technology. Then aided by his friends, encouraging them with his words to endure their fear, Odysseus rams the stake into the monster's eye while his men twirl it, "like a man with a brace-and-bit who bores into a ship timber," and the hot stake burns and sizzles in the eye like hot iron plunged into cold water by a blacksmith. At the very moment Odysseus overcomes the brutish Cyclops, Homer introduces two similes that appeal to technologies critical for human civilization, ship-building and iron-working. We may be physically weak and slow, but our minds and the alterations our minds can work on the stuff of nature, our ability as "social animals" to work together, and our virtues of endurance and self-control all help us to triumph over the brutal, devouring forces of nature.

Odysseus and Us

IN SOME RESPECTS, WE MODERNS CAN IDENTIFY with the scrappy survivor Odysseus. The honor, clan loyalty, revenge, and warrior valor of the *Iliad* seem like relics of a benighted age. But Odysseus, the sly democratic everyman, seems like us: he just wants to get back home in one piece. In other respects, of course, Homer's vision of what we are and how we relate to the natural world cuts against the grain of modern prejudices. Our idealization of nature as the true home we have lost because of civilization and technology, a place of beauty and spiritual sustenance with which we must harmonize ourselves to be more authentically human, would strike Homer as delusional, the luxury of people liberated by technology from nature's quotidian cruelty. Nature in reality is a brute force indifferent to our pathetic species—it is a one-eyed monster that will devour us raw.

Nor does Homer sympathize with the modern demonization of civilization, the Romantic notion that the modern world has alienated us from our true selves and that, as Freud wrote, "our civilization is largely responsible for our

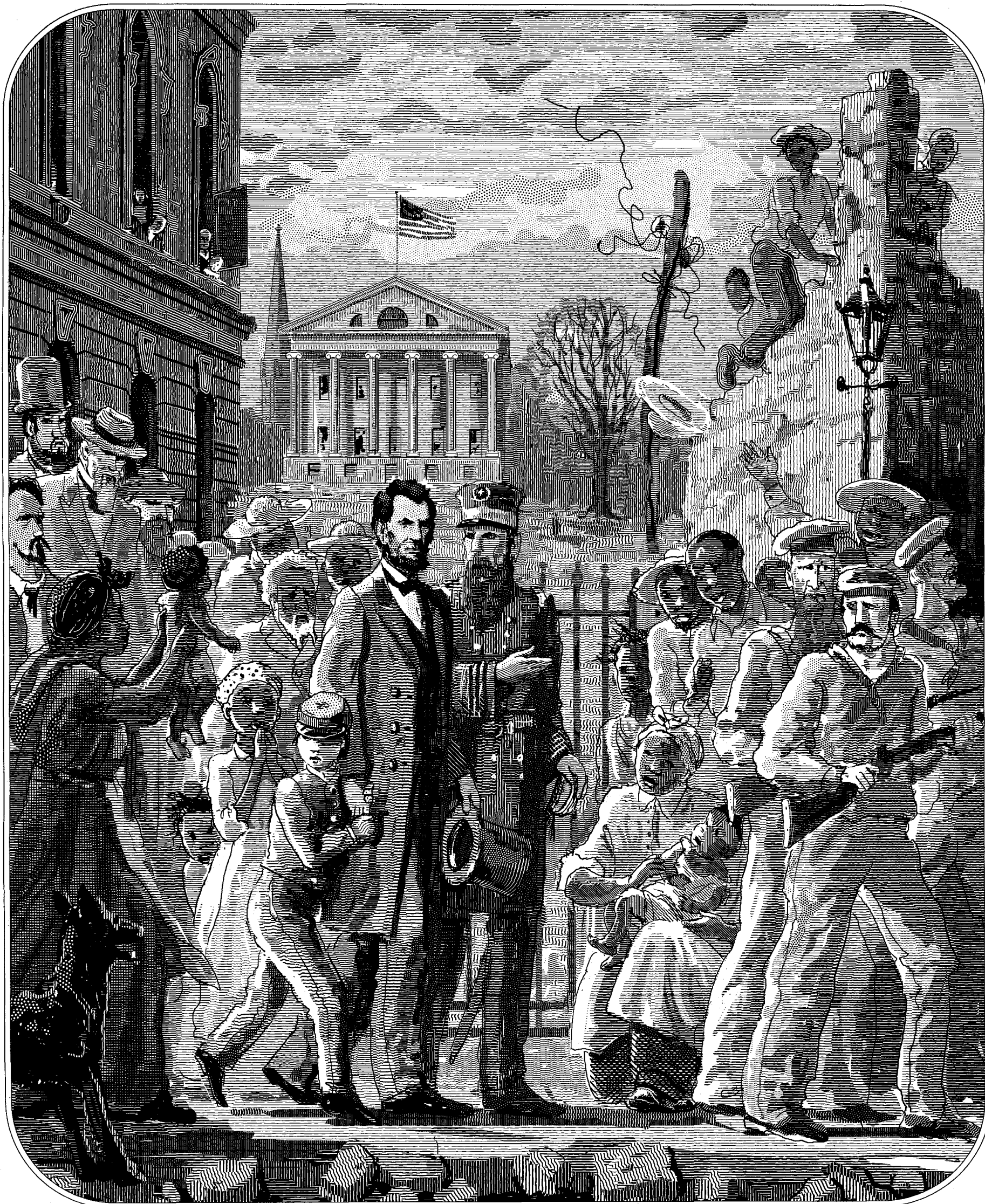
misery." The *Odyssey* sees civilization as our salvation, what separates us from the brute existence of animals and allows us to be recognizably human in the first place. Five centuries after Homer, Aristotle will agree when he calls human beings "polis-dwelling animals," creatures defined by a communal political-social order of laws, language, and institutions. To be anything else, Aristotle adds, one must be a beast or a god. But one will not be human.

Most important is Homer's insight that what is best and most admirable about human beings is to be found precisely in how we meet the challenges and risks of the hard natural world of pain and suffering. This is a notion intolerable to therapeutic moderns who believe that suffering and hardship are unfair anomalies to be corrected by progress, rather than the immutable limits that help to define us and create the conditions for our nobility and achievement. Odysseus accepted this paradox of human identity, which explains his rejection of Calypso's invitation to remain with her and stay young forever, an offer she spices up by emphasizing the hardship and suffering Odysseus must undergo before he can get home and win back his wife. Odysseus's response is a powerful assertion of the dignity of human life, of the value of living a life of meaning even at the cost of suffering and death:

And if some god batters me far out on the wine-blue water,
I will endure it, keeping a stubborn spirit inside me,
for already I have suffered much and done much hard work
on the waves and in the fighting. So let this adventure follow.

Here is wisdom that we moderns, dazzled as we are by utopian dreams of a perfect world, need to relearn.

Bruce S. Thornton is professor of classics at California State University, Fresno. His books include *Greek Ways: How the Greeks Created Western Civilization* (Encounter Books), and *Decline and Fall: Europe's Slow Motion Suicide* (Encounter Books).



Drawing by Elliott Banfield

President Lincoln Entering Richmond, April 4, 1865

Accompanied by his son Tad and a small protective force, Abraham Lincoln toured the Confederate capitol of Richmond, Virginia, the day after it was abandoned to Union troops. Ten days later, he was assassinated. The image above is based on a large engraving by Thomas Nast for *Harper's Weekly* and on contemporary photographs.

Introduction

The *Claremont Review of Books* takes the occasion of the 200th anniversary of Abraham Lincoln's birth to honor his memory. Many strands of contemporary liberalism make it difficult to honor the great political men of America's past. Greatness, politics, America, the past, and even men are suspect categories to many of our liberal elites. For some, relativism reduces any notion of greatness to a value—that is to say, nothing. For others, political history is no longer merely replaced by social and economic history; it has been reduced to gender, racial, and ethnic studies. Most profoundly, a vague but nearly irresistible notion of Progress insists that in the decisive respect—and with no effort on our part!—we are superior to all who have come before. The American conservatism of the CRB holds that the greatest hope for America's future lies in understanding and cherishing what is wisest and noblest in our past.

Essay by Christopher Flannery

O CAPTAIN! MY CAPTAIN!

IN DECEMBER 1859, ABRAHAM LINCOLN WROTE a "little sketch" of his life for use by Republican friends who sought to make him better known outside his home state of Illinois. The Republican national convention would be held in Chicago in a few months, and Lincoln was being mentioned by some newspapers as a possible vice presidential or presidential candidate. "There is not much of it," said Lincoln about his autobiographical sketch, "for the reason, I suppose, that there is not much of me." In the race of ambition, he regarded himself as largely a failure, especially compared with his famous rival, Stephen Douglas. But all was not failure. Looking back in his sketch across the whole span of his adult life, he fondly recalled "a success which gave me more pleasure than any I have had since." He was thinking of his election at the age of 23 in the spring of 1832 as "a Captain of Volunteers" from Sangamon County, Illinois, in the Black Hawk war.

The Clary Grove Boys

THE 22-YEAR-OLD LINCOLN HAD ARRIVED, as he would often say, like "a piece of floating driftwood" in the village of New Salem, in Sangamon County, in the summer of 1831. He described himself as "a strange, friendless, uneducated, penniless boy, working on a flat boat—at ten dollars per month." New Salem had existed for barely three years and had a population of about 100, a handful of whom had attended college. It was the most civilized and populous place Lincoln had ever lived.

Some days after Lincoln floated into town, New Salem was holding elections. Local civic leaders, discovering that Lincoln could write—a prized ability in those parts—put him to work as a recording clerk registering ballots. In the course of a leisurely afternoon, as citizens came into the voting place, the election judge calling out their votes and the clerk writing them down, townsmen became familiar with another Lincoln ability—as a spell-binding storyteller. He told his lizard story that day, about how an old line Baptist preacher in the Indiana backwoods, delivering a sermon, had the misfortune to have a little blue lizard run up inside his pantaloons, with results that caused some distress among the faithful.

In coming weeks and months—Lincoln now "a sort of Clerk in a store," as he put it—New Salemites saw more of his storytelling as well as his affability, surprising gentleness, hard work,

an unequalled determination and capacity to learn, honesty that immediately became legendary, and prodigious physical strength. This last led Lincoln's impulsive employer to wager that Lincoln was not only the smartest fellow around but could outwrestle the toughest man in the county—Jack Armstrong, leader of the Clary Grove boys. That wild bunch lived a few miles outside town and were, despite their roguish gallantry, "a terror to the entire region," as Lincoln's future law partner William Herndon reports. In his warm description,

They were friendly and good-natured; they could trench a pond, dig a bog, build



a house; they could pray and fight, make a village or create a state. They would do almost anything for sport or fun, love or necessity. Though rude and rough...there never was under the sun a more generous parcel of rowdies.

The Clary Grove boys put their money on Armstrong to prove himself "a better man than Lincoln." Accounts of the epic match vary. Herndon records that it ended when Lincoln, angered by foul play, suspended decorum and "fairly lifted the great bully by the throat and shook him like a rag." However it ended, all accounts agree on the result: Lincoln increased his good standing in the opinion of "all New Salem," and "secured the respectful admiration and friendship," above all, of the Clary Grove champion, Jack Armstrong. (Many years

later, Lincoln would, for no fee, skillfully and successfully defend Armstrong's son against a charge of murder.) The Clary Grove boys were devoted friends and supporters of Lincoln ever after.

Choose Your Weapons!

LINCOLN HAD BEEN LIVING IN NEW SALEM only seven months when some of his more respectable new friends, impressed by his qualities, encouraged him to run for the state legislature. In his maiden speech as a candidate, March 9, 1832, he declared that he had no greater ambition than to be "truly esteemed of my fellow men, by rendering myself worthy of their esteem." He soon got a chance to show his worthiness in a new and unexpected field of honor. In April, a call came from the Governor of Illinois for volunteers to defend the state against the famous Indian chief, Black Hawk, and his warriors. These were known as the "British Band," for their affiliation with British interests going back to the War of 1812; they had come across the Mississippi into Illinois to reclaim disputed territory. Lincoln answered the call with throngs of others, and to his surprise was elected captain of the Sangamon County company of the Thirty-first Regiment of the Illinois Militia. The Clary Grove gang was the core of the electorate who brought Lincoln this success. Like Lincoln, they had enlisted for 30 days.

With these boys, an election was not a coronation. They had chosen Lincoln as their captain, and no doubt considered that he should be proud of the distinction, as he would always be. But this did not mean they expected to have to obey him. According to one witness, Lincoln's company "was the hardest set of men he ever saw." Obedience did not come naturally to them—as Herndon observes, they "were difficult to bring down to the inflexibilities of military discipline." Lincoln, himself, would later tell the story that to the first order he gave as captain, "he received the response, 'Go to the devil, sir!'"

Not his newly acquired rank, but something immeasurably more substantial, persuaded Lincoln's independent-minded troops to obey him in "[one of] the few incidents of Lincoln's career in the Black Hawk war that have found a place in history" (Herndon, again). An old Indian wandered into the camp of the Sanga-

mon County company one day, carrying a military safe-conduct pass commending him for his faithful services. The men had been called out to fight Indians, had stories of Indian massacres fresh in their minds, and were in no temper to trust a redskin. They accused him of being "a damned spy" and were threatening to shoot him, when Lincoln "placed himself between the Indian" and his men and said, "Men, this must not be done.... We must not shed his blood. It must not be on our shirts." But the men were belligerent and determined. They called Lincoln "cowardly" for refusing to go along with the project. Lincoln challenged, "If any man thinks I am a coward let him test it." And here one has to smile at the guilelessness of these rough, spirited, unbridled young men, and some not so young—they objected that Lincoln was being unfair, since he was bigger and stronger than any of them! As Lincoln biographer Albert J. Beveridge tells it, the 6' 4" Lincoln "jumped, ran, boxed, and wrestled better than any man in the expedition." So Lincoln, disdaining any advantage, evened the field: "Choose your weapons then," he said. That broke it up.

Beautiful Goodness

LINCOLN COULD NOT TURN THESE RUFFIANS into angels or even mere philosophers, and he had no inclination to try. It was all he could do, at peril of his life, to keep them from doing grave wrong. There was no guarantee that he would succeed even at that. They could no more slough off their prejudices, passions, and follies than they could step out of the skin they lived in. But such as they were, they had chosen Lincoln as their captain. They had chosen him because he was the best man among them, the one most worthy of their esteem. Their esteem, as Lincoln well understood, was far from wisdom, but in good light it glimpsed at least a hint of wisdom in the distance. Lincoln earned it in no small part by outrunning, outboxing, and outwrestling them, but they knew, when they listened to the better angels of their natures, that there were much more important reasons to esteem him. Of course, it could sometimes require the prospect of a good thrashing to make them listen.

"When [his] thirty days were up," writes Beveridge, "Lincoln was easily the most popular man in the whole army." "All the men in the Company—as well as the Regiment to which he & they belonged loved him well—almost worshipped him," recalled Henry McHenry. What was most apparent to these elemental men, what won their respect in the first instance, was Lincoln's physical prowess coupled with his courage. At their sober best, they saw that his strength of character was greater even than

his storied strength of limb, and they admired him the more for it. His still greater strength of mind, so decisive in Lincoln's later celebrated political battles, they could only wonder at. His magical storytelling delighted and entranced them. That he never talked down to them, that he met them, and bested them, on their own ground—this made it possible for them to think of him as their friend, even though he didn't drink, swear, or chew. His genuine liking for them they warmly reciprocated. But what made them love him to the point of worship was the most exquisite and essential thing about him. It was his goodness—that firmness in the right, as God gave him to see the right, that was sovereign in his noble soul even at a young age. It was their love of this beautiful goodness, I like to think, more than fear of the native mightiness of Lincoln, that brought the boys to reason, in that wild, murderous moment, against the pull of their most unruly passions.

Many aspiring politicians enlisted for the Black Hawk war, and brought home stories not likely to damage their political careers. As one contemporary recalls, "Jack Falstaff never slew as many men in buckram as each and every one of those Illinois politicians did" in that war. Lincoln is reported to have had "an inexhaustible supply of stories based upon his experiences in this war," and he shared a few jokes on the subject in an amusing speech in Congress years later. But esteem takes time to spread. In 1832, having served a couple of extra months in the militia, Lincoln returned to New Salem to resume his candidacy for the state legislature. As he later described the moment: "Returning from the [Black Hawk] campaign, and encouraged by his great popularity among his immediate neighbors, he the same year ran for the legislature, and was beaten...the only time Abraham was ever beaten on a direct vote of the people." But those who knew him best loved him best. His own New Salem precinct, as he proudly records, cast its votes "277 for and 7 against him."

Face to Face

OVER THE NEXT 20 YEARS, ESTEEM FOR Lincoln certainly did spread, and he had many successes as a lawyer and Whig politician. But his Democratic competitor Stephen Douglas, who started out in Illinois politics at the same time as Lincoln, outstripped him at every turn. By 1854, Douglas was the most powerful man in Illinois and in the U.S. Senate. His name filled the nation, as Lincoln noted ruefully, and was "not unknown, even, in foreign lands." He had achieved "high eminence." Lincoln had by then been out of elective

office for several years and was a modestly successful local attorney, a private citizen raising a respectable family.

Then, in 1854, Douglas pushed the Kansas-Nebraska Act into law, repealing the Missouri Compromise, threatening to introduce slavery into the territories and to replace America's founding principles with Douglas's doctrine of popular sovereignty. The rest, as they say, is history. Looking back from the vantage of 1860, Lincoln would reflect that "his profession had almost superseded the thought of politics in his mind, when the repeal of the Missouri Compromise aroused him as he had never been before." From the moment Lincoln called Douglas out at a public meeting in Springfield on October 3, 1854, until he defeated Douglas in the 1860 presidential campaign, Lincoln grappled with the most formidable champion he had ever challenged, for the highest stakes; their arena was a country. It required all Lincoln's force of character and especially the heroic exertion of his commanding mind to prevent Douglas and his doctrine of popular sovereignty from making mob rule the law of the land.

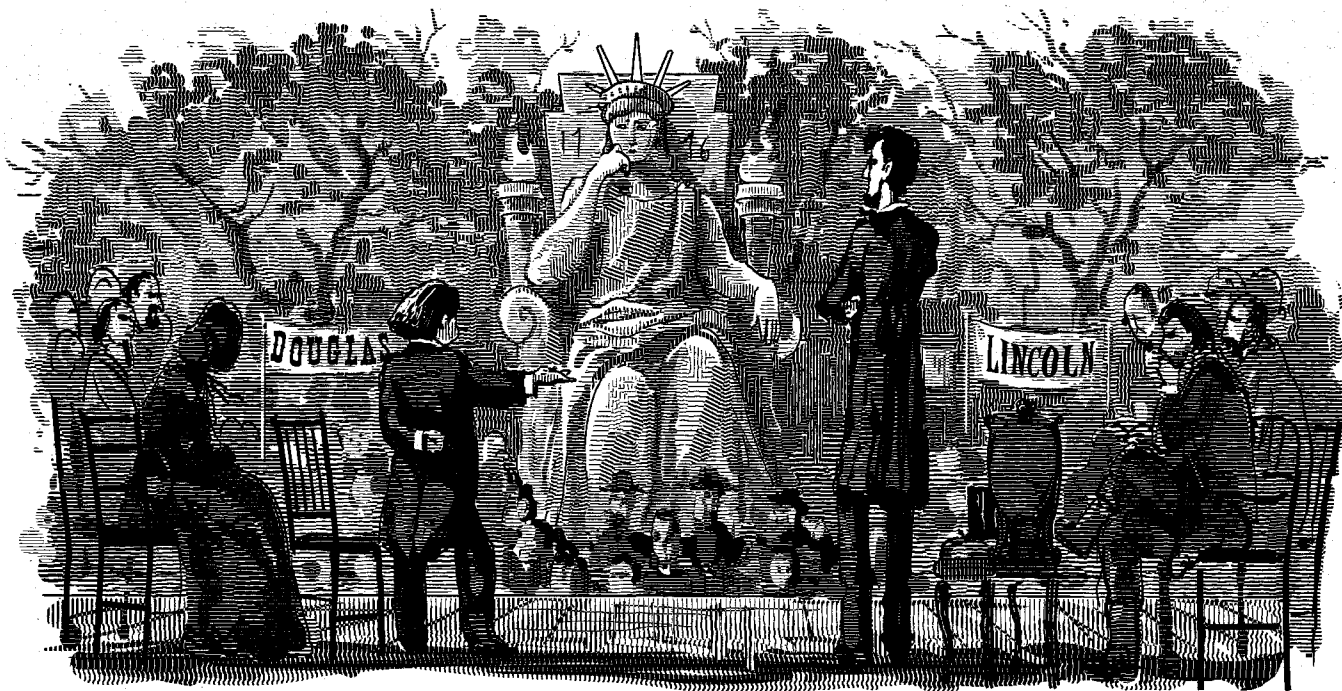
The finally vanquished Douglas, like Jack Armstrong in New Salem days, became a fast ally as soon as he was thrown, and until his untimely death was a staunch supporter of Lincoln. So it would be, too, with other great men who had been Lincoln's Republican rivals for the presidency. Once beaten, they joined his administration, and came to have the highest regard for him, some of them coming to love him no less than did his Sangamon County volunteers. Even the wisest leaders of the rebellious South, when defeat came upon them, acknowledged that they would be fortunate to have Lincoln to surrender to. Soon there would be no American, not even Washington, so highly esteemed by his countrymen and the best of his fellow men.

What made Lincoln worthy of the highest esteem was stated with martial economy by one of his generals, William Tecumseh Sherman, in words that would be perfectly understood by the boys of Clary Grove who had made Lincoln their captain so long ago: "Of all the men I ever met, he seemed to possess more of the elements of greatness, combined with goodness than any other." Sophisticated and literate eastern Americans had usually taken a little longer than western roughnecks to recognize Lincoln's worthiness, so in his Commemoration Ode, recited at Harvard University in July 1865, James Russell Lowell explained it to them in terms they might understand. When Lincoln was among us, he said, "one of Plutarch's men talked with us face to face."

Christopher Flannery is senior editor of the Claremont Review of Books.

Essay by Diana Schaub

THE GREAT DEBATE



ONE CANNOT HAVE A GREAT DEBATE OVER small matters. Great political oratory depends on an occasion, as does great statesmanship itself. Compared to orators and statesmen, other wordsmiths and artists are not as dependent on the character of the times, since they can work in genres other than the epic. Great literature can be made from very slight reeds (think of Emma Bovary and her ennui). Or, if epic is preferred, the full sweep of history is always available. Thus, a great statesman who is also a great writer can bide his time with political history when political life stagnates. Churchill began his *History of the English-Speaking Peoples* in the 1930s while those peoples were given over to diplomatic follies. As the democracies squandered their earlier victory in the Great War, they “allowed the wicked to rearm” and guaranteed their own future need of statesmanly salvation. These periods of waiting—of retirement and even exclusion from office—are typical of the highest examples of democratic statesmanship.

There are, of course, those who don’t want to wait. Ambitious men who are sufficiently Machiavellian can generate their own occasions. In the greatest debate in American history, Stephen A. Douglas seems to have done just that. He miscalculated, however, working his own and nearly his nation’s ruin. Last year marked the 150th anniversary of the Lincoln-Douglas debates. The sequence of names, contravening alphabetical order, indicates who won—ultimately, that is. Although Douglas held on to his Senate seat, his campaign diminished his prospects for the

presidency. This year is the 200th anniversary of Lincoln’s birth. We remember Douglas now as the foil to Lincoln, but at the time Douglas was both the preeminent man and the catalyst.

Political Context

THE SEVEN DEBATES OF THE ILLINOIS SENATORIAL campaign of 1858 were neither the beginning nor the end of the rivalry between Lincoln and Douglas. As Allen C. Guelzo notes in his new book *Lincoln and Douglas: The Debates That Defined America*, “The debates, after all, were seven moments out of campaigns that stretched over four months.” In a meticulously detailed work of historical reconstruction, Guelzo resituates the debates within their political context, which is to say especially their party context. He provides the nitty-gritty ins and outs of the campaign struggle, including the skirmishes within each camp. Offering both information and analysis, he mixes the colorful and insightful along with, I’m afraid, a bit of the tedious. Fidelity to history, like marital fidelity, is a virtue, but one begins to tire of the commitment when it involves chores like introducing every local dignitary who joined the candidates on the dais.

Guelzo’s attention to the party organizers and string-pullers, however, serves—and is meant to serve—as a “corrective to the prevailing skepticism about the participatory quality of nineteenth-century democracy.” So too his descriptions of the ordinary folks who attended the debates, which bring to life the full-throat-

ed, rip-roaring, no-holds-barred character of partisanship. Citizens delighted in assembling, parading, discussing, heckling, even brawling, and, most revealingly, providing their own blunt encapsulations of the debates in their banners and badges—like the embroidered inscriptions worn by a group of Douglasite young ladies: “White Men or None.”

As Guelzo documents, the Democrats strove relentlessly to paint Lincoln as a radical abolitionist (or as Douglas expressed it, a “lying, wooly-headed abolitionist”) and to construe his opposition to the extension of slavery as an embrace of Negro equality, with the added implication that the real goal of racial equality was miscegenation. The race card was always trump—especially when women were at stake—and was played not only overtly but with a flourish. It worked particularly well in sweeping many old-line Whig districts in the crucial central belt of the state into Democratic hands. Although the race card has not disappeared from our political deck, these days it requires considerable sleight of hand to introduce it or, better yet, palm it off and accuse your opponent of introducing it.

It wasn’t only demagoguery but other seamy elements of electoral politics that helped secure Douglas’s victory: most especially, the Democratic-slanted apportionment of the Illinois districts and, possibly, voter fraud. Guelzo’s analysis of the returns shows just how close the election was. Remember, no one cast a vote directly for either Lincoln or Douglas; under the original Constitution, U.S. senators were appointed

by state legislatures. In 1858, the Republicans actually won the popular vote at all levels—not only for statewide offices like treasurer, but also in total votes cast in the state house and state senate races. But because the apportionment of representatives did not match the population distribution—over-weighting safely Democratic districts—the Democrats were able to retain control of the legislature. Moreover, in the most highly contested, formerly Whig areas of the state, the Democrats may have benefited from the temporary placement of crews of reliably Democratic (i.e., Irish) railroad workers. Douglas's relationship with the Illinois Central Railroad was "cozy" to say the least (George McClellan, soon-to-be-General McClellan, was company vice president at the time) and residency requirements for voting were rarely enforced. Indeed, from Guelzo's description, polling procedures altogether were not in accord with what we now call "best practices." As the other Douglass—Frederick Douglass—humorously put it, while making the case for black suffrage:

a day's experience at the polls convinced me that the "body politic" is not more immaculate than many other bodies. That in fact it is a very mixed affair. I saw ignorance enter, unable to read the vote it cast.... I saw Pat, fresh from the Emerald Isle, requiring two sober men to keep him on his legs, enter and deposit his vote for the Democratic candidate amid the loud hurrahs of his fellow-citizens.

"Best practices" may be both efficient and equitable, but they usually aren't vibrant in the way that 19th-century frontier politics was. Although the Lincoln-Douglas contest was an indirect election (supposedly a more aristocratic mechanism), I think one could argue that the effect on state politics was to increase and energize citizen involvement, by the rowdy and respectable alike. Half a century later, the 17th Amendment was presented as a democratizing reform. But breaking the salutary link between the outcomes at the state and federal levels, as the 17th Amendment did, may have had the unintended effect of rendering state politics less compelling and federal politics more distant—not a recipe for democratic participation.

The Central Issue

WHILE GUELZO PLACES THE GREAT debate amidst the inter- and intra-party rivalries of 1858, Roy Morris, Jr., in his new book, *The Long Pursuit: Abraham Lincoln's Thirty-Year Struggle with Stephen Douglas for the Heart and Soul of America*, expands the frame and follows their "race of ambition"

from the time the two striving young men entered public life in the 1830s until Douglas's early death in the first year of the Civil War. Morris is a fine storyteller, assisted greatly by his skill in using piquant quotations and revealing vignettes. One of my favorite occurs in the account of Lincoln's speaking tour in the East (which kicked off with the famous Cooper Union address), when Morris mentions this illuminating detail: in the summer of 1860, Lincoln's son Robert was admitted to Harvard, "helped immeasurably by a letter of recommendation that Lincoln personally requested from Stephen Douglas to Harvard president James Walker." Morris doesn't editorialize, but to me this incident is a testament to civility—an example of how intense partisanship is compatible with collegiality. Lincoln and Douglas were lifelong rivals far apart on any spectrum, whether physical, characterological, or ideological. But they were not enemies. At Cooper Union, Lincoln could deliver the speech (directed straight at Douglas) that established him as a presidential contender, and then, with perfect good conscience, ask Douglas to help his son acquire the sort of education and social entrée that neither of these self-made men had ever enjoyed. Douglas generously complied.

Historians always seek new perspectives from which to view the past, and it is certainly the case that both Guelzo and Morris have found vantage points that inform and delight. However, there remains something partial, or even artificial, about their chosen timeframes as a window upon the central issue—even though the subtitles of both books refer to that issue (Guelzo's *The Debates that Defined America*, Morris's *Struggle...for the Heart and Soul of America*). To my mind, there is another timeline that is more complete because it forthrightly tracks the issue—and the parties and persons only to the extent that they formulate and engage the issue.

Not only were the debates seven moments within the political campaign of 1858, but that campaign itself was a moment in the prolonged agony of the 1850s that began in 1854 with Douglas's Kansas-Nebraska act and the repeal of the Missouri Compromise. It was Douglas who triggered the avalanche that reshaped the political landscape: "Bleeding Kansas," the collapse of the Whigs, the fracturing of the Democrats, the emergence of the Republican Party out of the wreckage, the reentry of Lincoln on the political scene (after a dispiritingly long hiatus), the travesty of justice in *Dred Scott v. Sanford* (1857), the election of Lincoln followed immediately by Southern secession and, finally, war. Thus, the debates proper were the midpoint, and in some sense the turning point, of a struggle that stretched from 1854 to 1861. That struggle, in

turn, was lodged within the original struggle at the founding over the constitutional status of slavery. It's like a collection of nested boxes with the Lincoln-Douglas debates innermost.

What was at stake? What brought Lincoln out of his comfortable retirement? Slavery, more particularly the question of federal authority over slavery in the territories, was the proximate cause, but the roots of that constitutional question reached deeply into the foundations of American self-government.

Slaveocrats and Abolitionists

THERE RAGED, OF COURSE, A MORE RADICALLY polarized debate over slavery even than that between the two sons of the West. We might personify it as the Douglass-Calhoun debate between the great abolitionist Frederick Douglass and the great defender of slavery John C. Calhoun (or, as the two-s Douglass called him, "that great man of perverted faculties"). Calhoun pioneered the argument for slavery as a "positive good," departing from the founding era's view of slavery as at best a necessary evil. Southern intransigence provoked, and was in turn provoked by, abolitionism. Both slaveocrats and abolitionists made plain their scorn for one or the other of the nation's founding charters. "Mr. Calhoun and his 'forty thieves'" (Douglass's epithet) denied the Declaration's axiom of human equality. Their repudiation of first principles led to an assault on constitutional rights, too, as they sought to strengthen the outworks of slavery by undermining the rights of speech, press, assembly, and petition exercised by slavery's opponents. Douglass offered a graphic image of the policy:

I understand the first purpose of the slave power to be the suppression of all anti-slavery discussion.... One end of the slave's chain must be fastened to a padlock in the lips of Northern freemen, else the slave will himself become free.

Lincoln echoed Douglass when, at the close of the Cooper Union address, he asked what precisely would "satisfy" the Southern people. His conclusion: "This, and this only: cease to call slavery *wrong*, and join them in calling it *right*.... They will continue to accuse us of doing, until we cease saying." The real demand of the South was to silence the moral voice of the nation.

Meanwhile, the American Anti-Slavery Society (AASS), the main abolitionist organization, denounced the Constitution as "a most cunningly-devised and wicked compact" and demanded its immediate annulment. Not only did the disciples of William Lloyd Garrison regard the 1787 Constitution as "radically

and essentially slaveholding," but many were committed antinomians and "no-government" men—slavery being a paradigmatic instance of the violence inherent in all rule. Abolitionists were rightly so called, for there was much they wanted to abolish besides chattel slavery. There were other stripes of abolition (such as the Liberty Party) which were not unremittingly hostile to the Constitution—indeed Douglass himself prominently left the AASS for the Liberty Party, announcing his belief that the Constitution was "a glorious liberty document" that might "be wielded in behalf of emancipation." Nevertheless, it is at least debatable whether the radical natural-law jurisprudence associated with Lysander Spooner and the Liberty Party can be reconciled with any properly articulated constitutionalism. Certainly Lincoln did not think so, since he held himself obliged to abide by the constitutional bargain respecting slavery, including the return of fugitive slaves—an obligation that Spooner creatively interpreted away.

Care and Don't Care

IN OTHER WORDS, NEITHER LINCOLN NOR Douglas was an ultra. Lincoln was not an abolitionist and Douglas not an advocate of slavery. Instead, they represented the division within the main body of Northern public opinion. Despite this apparent moderation, the debate between them was the fundamental one, for it was explicitly about the meaning and limits of constitutional self-government. Douglas began it by proposing that the legality of slavery throughout the territories (and the new states formed therefrom) be left up to the local residents to decide. This was his "Grrrr-reat prrrr-rinciple" of popular sovereignty—a.k.a., "pop sov" or "squatter sovereignty."

For more than a quarter-century, the prevailing rule for the formation of territories and admission of new states had been the Missouri Compromise, prohibiting slavery north of 36°30'—and, by implication, allowing it south. Douglas's Kansas-Nebraska bill repealed the Missouri Compromise, removing the geographic prohibition on the spread of slavery. In erasing the line dividing free lands from slave, the Kansas-Nebraska bill erased as well the moral blame attaching to slavery. Douglas ostentatiously professed not to care which spread faster and farther: slavery or freedom. His stated policy was utter moral indifference. All that mattered was respect for the will of the majority on the spot.

In the ensuing uproar, Lincoln stepped forth to challenge Douglas's understanding of democracy. Agreeing that the right of self-government was indeed "sacred" and the "only rightful basis of any government," Lincoln nonetheless in-

sisted that Douglas was utterly mistaken in his construal of it. The "sacred right of self government"...was so perverted in this attempted use of it as to amount to just this: That if any one man, choose to enslave another, no third man shall be allowed to object." Douglas's "don't care" policy was an essential step toward joining the South in calling slavery right. Moral neutrality was foundational quicksand, weakening the ground for legal prohibition and preparing the ground for moral acceptance. Lincoln insisted instead on rock-solid moral disapproval of slavery, on which could be built a complex legal structure, tolerating slavery in the existing slave states

Books discussed in this essay:

Lincoln and Douglas: The Debates that Defined America, by Allen C. Guelzo.
Simon & Schuster, 416 pages, \$26

The Long Pursuit: Abraham Lincoln's Thirty-Year Struggle with Stephen Douglas for the Heart and Soul of America, by Roy Morris, Jr. HarperCollins,
272 pages, \$24.95

Crisis of the House Divided: An Interpretation of the Issues in the Lincoln-Douglas Debates, 50th Anniversary Edition, by Harry V. Jaffa. University of Chicago Press, 472 pages, \$24 (paper)

Abraham Lincoln: A Biography, by Godfrey Rathbone Benson, Lord Charnwood. Madison Books,
356 pages, \$17.95

while prohibiting it in the territories under federal control. Lincoln insisted that the American people both should care and did care.

Lincoln's politics of care differs from the contemporary, debased, "I-feel-your-pain" politics of compassion. Not that Lincoln lacked compassion for his fellow man. In a famous letter to his slaveholding friend Joshua Speed, he speaks powerfully of the pain caused by the constitutional obligation to return fugitive slaves:

I confess I hate to see the poor creatures hunted down, and caught, and carried back to their stripes, and unrewarded toils; but I bite my lip and keep quiet. In 1841 you and I had together a tedious low-water trip, on a Steam Boat from Louisville to St. Louis. You may remember, as I well do, that from Louisville to the mouth

of the Ohio there were, on board, ten or a dozen slaves, shackled together with irons. That sight was a continual torment to me; and I see something like it every time I touch the Ohio, or any other slave-border. It is hardly fair for you to assume, that I have no interest in a thing which has, and continually exercises, the power of making me miserable. You ought rather to appreciate how much the great body of the Northern people do crucify their feelings, in order to maintain their loyalty to the constitution and the Union.

Yet Lincoln's politics of caring is not primarily emotional or altruistic. In his public addresses, Lincoln offers not heart-rending testimonials but reasons why he cares and explanations of *what* needs to be cared for. Whereas the abolitionists focused on *who* required care (the slave), Lincoln focused on *what* required care (the foundation of the right of self-government). That foundation is the mutuality of individual rights: the right of self-government must not be mistaken for a right to unlimited self-aggrandizement. As he says:

When the white man governs himself... and also governs another man, that is more than self-government—that is despotism. If the negro is a man, why then my ancient faith teaches me that "all men are created equal," and that there can be no moral right in connection with one man's making a slave of another.

Lincoln showed that these acts of despotism, most especially when deceptively draped in the mantle of democracy, harmed not only slaves but also free men and, ultimately, freedom itself. Popular sovereignty was destructive of republicanism, in principle and practice. Lincoln establishes our own self-interest in respecting the inherent limits of self-government. Although inherent, those limits upon choice—occasioned by the equal and reciprocal rights of others—must be self-imposed.

Temptation

STEPHEN A. DOUGLAS, A MAN APTLY DESCRIBED as "a steam engine in britches," was not one to accept limits of any kind. But his grand scheme to avert the slavery crisis by unlimited westward expansion (with his special interest, the railroads, in the vanguard) failed because Americans, North and South, did care. The fact of westward expansion could not supersede concern over the character of westward expansion. The free-soilers whom Douglas courted became upset at the prospect that

slave labor might damage their opportunity for a fresh start in life. The Southerners whom he likewise courted became upset that popular sovereignty—in the form of “unfriendly legislation” by local majorities—might undermine their supposed right to property in slaves. Lincoln, in the course of defending republicanism and constitutionalism, skewered Douglas on the horns of this dilemma he had created for himself.

For a time, though, it did seem that Douglas’s flattery of the popular will would work. Each section and party heard what it wanted. Even, at a key point, the Republicans. After Douglas opposed the Lecompton Constitution (the pro-slavery Kansas constitution that was adopted in a fraudulent election), it looked as if “popular sovereignty,” with its insistence on democratic procedure, could indeed be made to serve the interests of free soil. Republicans, especially many of the Eastern leaders of the new party, were tempted to co-opt Douglas as their standard-bearer. Douglas had angered powerful forces within his own party (led by President James Buchanan) by denouncing the Lecompton fraud. An alliance with the formidable Douglas, at his most honorable, was a strategy that had its attractions. This is the very moment of the debates. In *Crisis of the House Divided* (1959), Harry V. Jaffa describes it as the moment of spiritual crisis: 1858 is to the Civil War as the Temptation is to the Passion.

Whereas the assault on constitutionalism was readily apparent in the pronouncements of both slaveocrats and abolitionists, it was harder to discern in Stephen Douglas, and therefore more dangerous. Even now, some commentators have trouble discerning the superior constitutionalist (or perhaps they just have a contrarian streak). Mark A. Graber, in his recent *Dred Scott and the Problem of Constitutional Evil*, tries to make the case not only for Taney, but also for Douglas. (For a persuasive review of Graber’s central errors, see Michael P. Zuckert, “Confronting Dred Scott,” *CRB*, Winter 2007.) The Lincoln-Douglas debates differ fundamentally from the founding era debates between Federalists and Anti-Federalists. Then compromise was often possible, and even when it wasn’t, there was much to be said for the insights of both sides: today, confirmed admirers of the Federalists can credit Anti-Federalist prescience on a number of fronts, from concerns about an overreaching judiciary to fears about the loss of citizen virtue in a large, heterogeneous republic. Lincoln, by contrast, gives no quarter to the argument of Douglas. In his final speech at Alton, Lincoln offers his starkest formulation of the “real issue”:

That is the issue that will continue in this country when these poor tongues of Judge Douglas and myself shall be silent. It is the

eternal struggle between these two principles—right and wrong—throughout the world. They are the two principles that have stood face to face from the beginning of time; and will ever continue to struggle. The one is the common right of humanity, and the other the divine right of kings. It is the same principle in whatever shape it develops itself. It is the same spirit that says, “You work and toil and earn bread, and I’ll eat it.” No matter in what shape it comes, whether from the mouth of a king who seeks to bestride the people of his own nation and live by the fruit of their labor, or from one race of men as an apology for enslaving another race, it is the same tyrannical principle.

In a delicious final twist, Lincoln shifts from Douglas as purveyor of tyranny to Douglas as purveyor of abolition and antinomian anarchy. He illustrates how Douglas’s disrespect for constitutional obligations—on vivid display in his suggestion that local majorities in the territories could by “unfriendly legislation” effectually exclude slavery from a place where, according to Douglas and *Dred Scott*, it had a legal right to go—amounts to nullification. The heretical doctrine of nullification is susceptible of many uses; it could, for instance, justify disregard of the fugitive slave law. Lincoln’s stunning last line of the debates is “Why, there is not such an Abolitionist in the nation as Douglas, after all.” Lincoln was not just scoring semantic points. In abandoning republicanism and constitutionalism, Douglas did put himself in league with both absolutism (the divine right of kings) and anarchism. If every majority is an unlimited sovereign—whether that majority is national, sectional, or local, or even perhaps an individual (Henry David Thoreau’s majority of one)—you have a recipe for both tyranny and anarchy.

There is no better guidebook to the debates than Jaffa’s *Crisis of the House Divided*, which has as its subtitle, *An Interpretation of the Issues in the Lincoln-Douglas Debates*. The University of Chicago Press is re-releasing the volume on its 50th anniversary with a new introduction by the author. Starting with Douglas and his intentions in instigating the Nebraska bill, Jaffa adopts the Miltonian procedure of giving the devil his due, and then some. Jaffa’s Douglas is not a straw man. In a tour de force of hermetic skill, Jaffa devotes 140 pages of sustained argument to Douglas’s statesmanship. He presents the case for Douglas as the heir of Madison, seeking to resolve the sectional division over slavery by the mechanisms of *Federalist* 10: extend the sphere and multiply the interests. The solution to faction is more faction. Two sections spell civil war; multiple sections

(add the West, Northwest, and Southwest, add Cuba and Mexico, add Canada) spell peace and prosperity. One could surmise that Douglas, by resolutely downplaying the moral dimension in favor of Manifest Destiny, in effect sought a victory for freedom—a victory not in hearts and minds, but on the ground, to be achieved by changing the sectional correlation of forces. By granting Douglas all that might be said on his behalf (but which his strategy prevented him from saying himself), Jaffa renders Lincoln’s demolition of Douglas even more dramatic.

What a Noble Man

THE QUESTION OF DOUGLAS’S MOTIVATION is one that commentators inevitably address. Godfrey Rathbone Benson, Lord Charnwood, the unmatched early 20th-century English biographer of Lincoln, delivers a summary judgment—indeed, one of the glories of Charnwood’s writing is the incisive description of major figures, from Hamilton and Jefferson to the great triumvirate of Webster, Clay, and Calhoun, to Lincoln’s contemporaries. He pegs Douglas as a “sheer adventurer” distinguished by “his extraordinary address in pushing himself” and “trained in a school in which scruple or principle were unknown and the man who arrives is the great man.” Guelzo concurs: “at bottom, Stephen A. Douglas had the temperament neither of a statesman nor of a demagogue but of a gambler.” Moreover, his taste for political risk was fortified by a taste for strong liquor. In the end, Douglas’s intemperance sapped his own constitution; Guelzo documents his erratic performances and increasing physical deterioration.

Morris, while he joins Charnwood, Jaffa, and Guelzo in giving the laurel to Lincoln, is not without appreciation for Douglas. Especially affecting is his account of Douglas’s presidential bid in 1860. Once nominated, a presidential candidate was not expected to do unseemly things, like canvas on his own behalf. The speechifying and trolling for votes were left to prominent supporters. Irrepressible as ever, Douglas flouted convention by traversing the country (on such pretexts as visiting his mother in New England or settling his mother-in-law’s estate in North Carolina), speaking in every town along a meandering route. His boundless and undisguised ambition occasioned much mockery in the partisan press.

Remarkably, Douglas’s repeated tours brought him to the painful conviction that Lincoln would win the presidency and that Southern threats of disunion were no bluff. He then bravely headed South once more, where he pleaded not for votes but for patience, “insisting that Lincoln’s election, in itself, would not

constitute a mortal threat to southern interests, since the Democrats still controlled Congress and the Supreme Court." He urged the ballot-box, four years hence, as "a peaceful, legal and constitutional remedy for all...grievances." Upon Lincoln's arrival in Washington, with seven states already in secession, Douglas met him at the Willard Hotel, promising him "his personal support."

He was true to his word. Moments before Lincoln's First Inaugural Address, Douglas extended the small courtesy of relieving Lincoln of his top hat; he later escorted Mary Lincoln to the inaugural ball. More substantively, he praised in the Senate Lincoln's speech. Once the war began, Douglas, as the leader of the loyal opposition, again met with Lincoln, recommending that the commander-in-chief's call for 75,000 volunteers be raised to 200,000 (warning, "You do not know the dishonest purposes of those men as well as I do"). He then traveled to Illinois to rally pro-Union support, admitting his own past errors in appeasing the South.

Though of questionable character, Douglas was unquestionably a patriot. Within a couple of months, he was on his deathbed, his last words a message to his young sons: "Tell them to obey the laws and uphold the Constitution." Perhaps the best commentator on Douglas is Lincoln himself, who knew him for a quarter-century and went from saying, Douglas does not "tell as many lies as some men I have known, but I think he cares as little for the truth...as any man I ever saw," to saying, "What a noble man Douglas is." When Douglas died, Lincoln ordered federal buildings, including the White House, draped in black crepe.

The Written Word

ALTHOUGH IT WAS DOUGLAS WHO TRIGGERED the debates by saying things that demanded rebuttal, it was Lincoln who guaranteed their lasting fame. Near the end of his book, Guelzo notes an essential difference in the debating styles of the two men. Douglas, like nearly every politician since, had a set of talking points that he repeated ad nauseam. As Guelzo explains, "he saw the debates as rhetorical events, where all that was required for victory was a triumph in front of the voters who happened to be on hand." By contrast, Lincoln regularly introduced new arguments and inter-

rogatories or developed new dimensions of old arguments. He could pursue this more Socratic approach because he "counted on audiences in one place having read the texts of the debates in the others." Lincoln had immediately grasped the dialectical and pedagogical possibilities of modern technology. For the first time in a political campaign, stenographers made transcriptions of the debates which were then rushed by rail to Chicago, decoded, and put into print within 48 hours. The debates were serialized by the new national wire service, the Associated Press, as well. Furthermore, despite his disappointment in the senatorial election, Lincoln soon afterward had the debates published as a book (much to Douglas's displeasure).

As Lincoln compiled his scrapbook of newspaper clippings (preliminary to finding a publisher), he also composed his "Lecture on Discoveries and Inventions," first delivered in February 1859. I suspect that Lincoln's post-debate reflections were the spur for this address, which centers on the relationship between speech, writing, and printing. Although not explicitly about the democratic statesman's role as preceptor of the people, this address reveals much about Lincoln's aims and continues his critique of Douglas as demagogue.

Speech, Lincoln decided, "valuable as it ever has been, and is, has not advanced the condition of the world much." It is writing that makes a difference:

Writing—the art of communicating thoughts to the mind, through the eye—is the great invention of the world...—great, very great in enabling us to converse with the dead, the absent, and the unborn, at all distances of time and of space.

For 3,000 years, however, the art of writing was confined to the few. Printing has the potential to bring "the immancipation of thought" to all, releasing humanity from the "slavery of the mind." According to Lincoln, political equality depends on freedom of thought, for only a free mind believes itself capable of "rising to equality." Mental emancipation precedes material emancipation. Consciousness alters conditions. Just so, Lincoln conceives the publication of his thoughts on self-government as furthering the rise to equality.

As Guelzo concisely puts it: "For Douglas, the debates were principally oratory; for Lin-

coln, they became texts." Oddly enough, though, Guelzo laments the triumph of the textual. He chalks it up to "the accident of print" that the 1858 debates "have come completely to eclipse the campaigns." But what a happy accident! Only as text could Lincoln speak to all Americans, indeed all men, then and now. Guelzo, however, insists that "taken solely on their own, the debate texts are like Shakespeare without a stage." By recreating the historical scene in *Lincoln and Douglas*, Guelzo aims to restore the performative "color."

I certainly have no objection to the wonderful work of historians (among whom Guelzo ranks high) and actors, and I like the implied metaphor of historian as dramaturge. Still, there are no dramaturges without dramatists. Guelzo's deprecatory remarks about Shakespeare on-the-page are fighting words to readers of Shakespeare, in whose ranks Lincoln placed himself. Lincoln was a play-goer (unfortunately), but more fundamentally he was a play-reader. Charnwood says "he saturated his mind" with Shakespeare. (See John Channing Briggs, "Steeped in Shakespeare," in this issue.) The printed word, unaugmented by the spectacle or pageantry of performers, is the medium of truth. One of the remarkable things about Shakespeare is how little damage is done to him by even the most ridiculous stagings of his work. It is only because of the life and color already in his words (and Lincoln's) that directors and scholars even bother to construct stages and elaborate historical contexts.

As Lincoln predicted, the real-life drama has continued. Tyranny's temptation is perennial. Despite Lincoln's attempt to root democratic practice in the principle of human equality, the meaning of democracy remains contested ground. So far, the sacrifice asked of us has not equaled Lincoln's. As Charnwood said, Lincoln "did of set purpose drink and refill and drink again as full and fiery a cup of sacrifice as ever was pressed to the lips of hero or of saint." So long as we still imbibe Lincoln's words and warnings, we will be able to win the debate with today's anti-foundationalists and false foundationalists. A truly self-governing people should not expect another savior-statesman.

Diana Schaub is professor of political science at Loyola College in Maryland and a member of the Hoover Institution's task force on The Virtues of a Free Society.

Essay by Mackubin T. Owens

COMMANDER-IN-CHIEF

IN HIS NEW STUDY OF ABRAHAM LINCOLN'S wartime leadership, *Tried by War*, the eminent historian James McPherson writes, "In the vast literature on our sixteenth president... the amount of attention devoted to his role as commander-in-chief is disproportionately far less than the actual time that he spent on that task." Indeed, in the sea of Lincoln books, there are by my count only four that examine his performance as war president—this, for "the only president in American history whose entire administration was bounded by war."

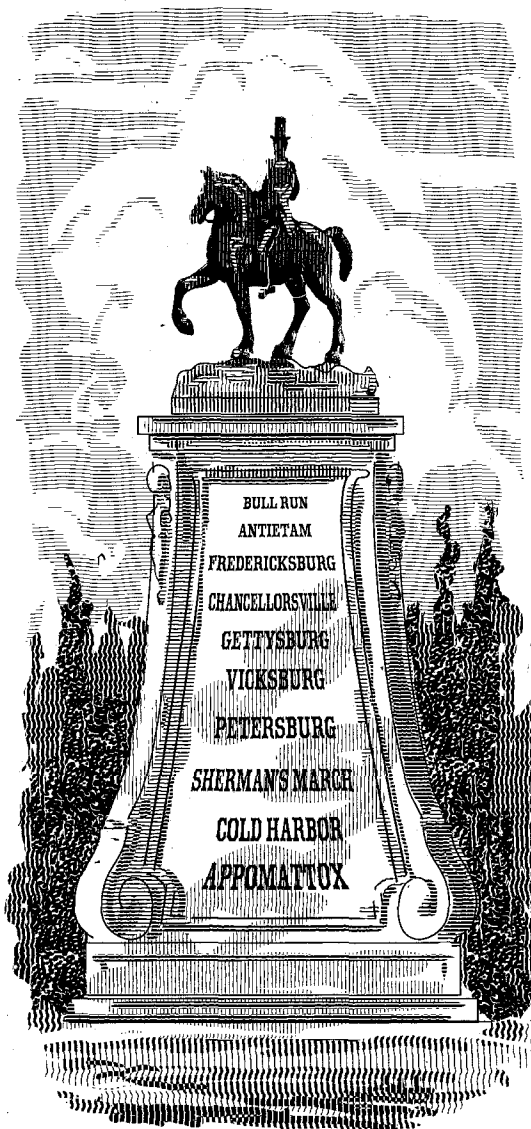
The dearth of works devoted to Lincoln's wartime leadership is doubly strange, McPherson observes, since the success or failure of Union arms during the Civil War affected

the fate of slavery; the definition of freedom; the destruction of the Old South's socio-economic system and the triumph of entrepreneurial free-labor capitalism as the national norm;...the origins of a new system of race relations; the very survival of the United States in a manner that laid the foundations for the nation's emergence as a world power.

Lincoln was entering uncharted waters as he confronted a rebellion "too powerful to be suppressed by the ordinary course of judicial proceedings." In response to this crisis, as Geoffrey Perret observed in *Lincoln's War* (2004), the sixteenth president "create[d] the role of commander in chief." Claiming broad emergency powers that he argued the Constitution had vested in the executive branch, he called out the militia, authorized increases in the size of the regular army and navy, expended funds for military purchases, deployed military forces, blockaded Southern ports, suspended the writ of habeas corpus in certain areas, authorized arbitrary arrests, and empanelled military tribunals to try civilians in occupied or contested areas. He took these steps without congressional authorization, although he subsequently explained his action to Congress once it convened in July 1861. Later he authorized conscription and issued the Emancipation Proclamation.

Lincoln justified these steps as necessary to save the Union and preserve the Constitution. As he famously wrote to Horace Greeley:

I would save the Union. I would save it the shortest way under the Constitution. The sooner the national authority can be



restored, the nearer the Union will be "the Union as it was." ...My paramount object in this struggle is to save the Union, and it is not either to save or to destroy slavery. If I could save the Union without freeing any slave, I would do it, and if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone I would also do that.

But this often misunderstood passage conceals an important point: for Lincoln, the Union and the Constitution that he sought to save were not ends in themselves but the means to something else. He saw the Constitution principally as a framework for sharing power within a republican government. This was the real thing he aimed to preserve because only republican government was capable of protecting the liberty of the people. He understood the Declaration of Independence as the foundation of

such a government, and the Constitution as the means of implementing it. To achieve the end of preserving republican liberty, he had to choose the means necessary and proper under the circumstances and it is by his end and his choice of means that we must judge Lincoln's claim of a war power, the balance he struck between liberty and security, his response to secession, his decision for emancipation, and the strategy he employed to fight the war.

Executive Prerogative

ON FEHRENBACHER ONCE OBSERVED that Lincoln has been described by historians as a "dictator" far more often than any other president. This is true not only of historians who criticize him, but of those who praise him. But if Lincoln was a dictator, he was unlike any other in history. Dictatorship (in the contemporary usage that Fehrenbacher had in mind) is characterized by unlimited, absolute power, exercised in an arbitrary and unpredictable manner, with no regard for political legitimacy. A dictator does not go out of his way to respect legal limits as Lincoln did, despite his belief that the emergency required special measures. Nor is a dictator subject to the pressures of public opinion, congressional constraint, and party competition that Lincoln faced during his war presidency. Above all a dictator doesn't risk an election, especially one he thinks he might lose, in the midst of civil war.

Lincoln argued that the power he needed to deal with the rebellion was found in the Constitution, in the executive power. In addition to the Commander-in-Chief Clause, he cited the clause of Article II requiring him to "take care that the laws be faithfully executed," and his presidential oath to "preserve, protect, and defend the Constitution of the United States." He emphasized as well the difference between normal times and times of extraordinary emergency. During the former, the rights of the people are secure and the main instrument of representative government is the legislature, which expresses the will of the people. During such times, the president, though he possesses his own constitutional source of power, primarily executes the laws passed by Congress. But in a crisis, the principle *salus populi est suprema lex* trumps all other considerations and justifies extraordinary executive powers. As Thomas Jefferson observed, "in times of peace the people look most to their representatives; but in war, to the executive solely..."

to give the proper direction to their affairs, with a confidence as auspicious as it is well-founded."

This executive prerogative is rendered necessary by the fact that laws arising from legislative deliberation cannot foresee every exigency. For the safety of the republic, the executive must retain some latitude for action. Here, again, is Jefferson on the spirit of the prerogative:

A strict observance of the written law is doubtless *one* of the high duties of a good citizen, but it is not *the highest*. The laws of necessity, of self preservation, of saving our country when in danger, are of higher obligation. To lose our country by a scrupulous adherence to written law, would be to lose the law itself, with life, liberty, property and all those who are enjoying them with us; thus absurdly sacrificing the ends to the means....

After Fort Sumter, Lincoln made the same point in his speech to Congress in special session, in defense of his suspension of the writ of habeas corpus:

The whole of the laws which were required to be faithfully executed were being resisted and failing of execution in nearly one third of the States. Must they be allowed to finally fail of execution, even had it been perfectly clear that by the use of the means necessary to their execution some single law, made in such extreme tenderness of the citizen's liberty that, practically, it relieves more of the guilty than of the innocent, should to a very limited extent be violated? To state the question more directly, are all the laws but one to go unexecuted, and the government itself to go to pieces lest that one be violated? Even in such a case, would not the official oath be broken if the government should be overthrown, when it was believed that disregarding the single law would tend to preserve it?

Lincoln did not believe he had violated the law because the privilege of the writ of habeas corpus may be suspended, according to the Constitution, "when, in cases of rebellion or invasion, the public safety may require it." But he made it perfectly clear that he, or any president, must be willing to violate some part of the law if that is necessary to save the whole of it.

Emergency Power

OF COURSE, AN EMERGENCY POWER IS useless unless it is sufficient to meet the emergency. The magnitude and the character of the emergency determine the

extent of the necessary power, and the president is in the best position, Lincoln believed, to determine how much power he needs. But Lincoln's emphasis on preserving republican government taught him, as it should teach us, that the prerogative is limited by the will of the people, which,

constitutionally expressed, is the ultimate law for all. If they should deliberately resolve to have immediate peace, even at the loss of their country and their liberty, I know not the power or the right to resist them. It is their own business, and they must do as they please with their own.

Books mentioned in this essay:

Tried by War: Abraham Lincoln as Commander in Chief, by James M. McPherson. Penguin Press, 329 pages, \$35

Lincoln's War: The Untold Story of America's Greatest President as Commander in Chief, by Geoffrey Perret. Random House, 470 pages, out of print

Supreme Command: Soldiers, Statesmen, and Leadership in Wartime, by Eliot A. Cohen. Free Press, 288 pages, \$15 (paper)

Lincoln's Emancipation Proclamation: The End of Slavery in America, by Allen C. Guelzo. Simon & Schuster, 332 pages, \$15 (paper)

He was certain that he had constitutional authority to exercise extraordinary powers in an emergency, and he was equally certain that such powers were limited to the duration of the emergency and not applicable to normal times. He articulated his position with characteristic, down to earth rigor in his reply to Erastus Corning and a group of New York Democrats who had criticized his war measures:

I can no more be persuaded that the Government can constitutionally take no strong measures in time of rebellion, because it can be shown that the same could not be lawfully taken in time of peace, than I can be persuaded that a particular drug is not good medicine for a sick man because it can be shown to not be good

food for a well one. Nor am I able to appreciate the danger apprehended by the meeting [of the New York Democrats], that the American people will by means of military arrests during the rebellion lose the right of public discussion, the liberty of speech and the press, the law of evidence, trial by jury, and *habeas corpus*, throughout the indefinite peaceful future which I trust lies before them, any more than I am able to believe that a man could contract so strong an appetite for emetics during temporary illness as to persist in feeding upon them during the remainder of his healthful life.

Lincoln faced other dilemmas as war president. One was the dual nature of the conflict: it was both a war and a domestic insurrection. Believing that the states could not legally secede and that, therefore, the Confederacy was a fiction, he had to be careful lest the steps he took be construed as recognizing the Confederacy. His decision to blockade Southern ports, traditionally a measure taken against a belligerent, might be so construed. So might confiscation of rebel slaves, however attractive the practice might be. Lincoln's concerns about the constitutionality of the two confiscation acts passed by Congress and the fact that they implied recognition of the Confederacy led him to treat emancipation as a war measure. The mere fact that he was morally in favor of emancipation could be no justification for him as president to use the force of government to bring it about.

War Leader

ON THE SURFACE, LINCOLN SEEMED ill-prepared to meet the military challenges that the crisis of the Civil War generated. By all ordinary measures, the Confederate president, Jefferson Davis, would seem to have had the edge. He was a graduate of the U.S. Military Academy at West Point, had a distinguished record during the Mexican War, had been secretary of war during the administration of Franklin Pierce, and as a United States senator from Mississippi had chaired the Committee on Military Affairs. In contrast, Lincoln had served as a captain of militia during the Black Hawk War, during which he had seen no action. His one term in Congress was lackluster. He gained notoriety for opposing the Mexican War, as did most Whigs, and for demanding of President James Polk that he show the very spot upon which Mexico supposedly had provoked the conflict.

Some have concluded that appearances are not misleading and that Lincoln's contributions to Union victory were minimal. Given

the relative power of the North, according to this interpretation, Union victory was assured beforehand; Lincoln's role was superfluous at best, and at worst his propensity for interfering in the details of military operations was counterproductive. A variation of this view holds that Lincoln's main contribution to Union victory was to find the right general, wading through a mass of incompetents until he lit upon Ulysses S. Grant, who led the Union armies to success.

In recent years, some historians have begun to give Lincoln more credit as a war leader. He demonstrated flexibility and strategic acumen. He skillfully managed both his cabinet and his generals, and even Congress, where he had to maintain a working majority if the war was to be won. He did not hesitate to overrule his advisers, both military and civilian. As Eliot Cohen noted in *Supreme Command* (2002), his study of civil-military relations in modern republics, "Lincoln had not merely a powerful intellect but an extraordinarily orderly and balanced one." The Union's material advantage was not sufficient in itself to ensure victory. Lincoln had to make the decisions that translated this advantage into military and political success.

We sometimes forget that he also had to defeat the strategy pursued by the Confederacy. And certainly with field commanders as talented as Robert E. Lee, Confederate armies did confound Union plans on more than one occasion.

The Union Strategy

ALTHOUGH LINCOLN HAD NO MILITARY education, he learned quickly and proved to be a competent strategist. He abided by the old adage that in war, "the main thing is to make sure that the main thing remains the main thing." As his letter to Horace Greeley illustrated, the "main thing" for Lincoln was to preserve the Union. But like any good strategist, Lincoln proved willing to adapt his strategy to the circumstances in order to achieve this goal.

He intuitively understood that it was not the capture of Confederate territory or the Confederate capital that would bestow victory. To break the back of the rebellion required Union armies to defeat Confederate armies. "I think Lee's army and not Richmond, is your true objective point," he wrote to Major General Joseph Hooker in June 1863.

Despite the understandable tendency of both sides to concentrate on the eastern theater of war, Lincoln understood the importance of the West in Union strategy. In early 1862, Union armies had employed the Tennessee River as the "main line of operations" to penetrate deep into western Tennessee and northern Missis-

issippi, turning Confederate defenses on the Mississippi River and in Kentucky. Grant's subsequent victory at Shiloh permitted Union forces to seize major parts of the Confederacy's only remaining east-west railroad line and opened the way to both Vicksburg on the Mississippi River and Chattanooga. With the capture of the latter, Union forces penetrated the Appalachian barrier and seized Atlanta.

Of course there was a great deal more to Lincoln's strategy than the military element. His was also a political strategy, the main weapon of which became at the end of 1862 emancipation. Emancipation struck not only at the war-making potential of the Confederacy but at the heart of the Southern social system. Nonetheless, Lincoln had to tread carefully for domestic political reasons because, while abolitionists and their radical Republican allies in Congress welcomed emancipation, conservative Democrats in the North and loyal slaveholders in the slave states that remained in the Union denounced it. Lincoln needed both groups if he was to prosecute the war.

The president's preferred approach to ending slavery, as Allen Guelzo argues in his *Lincoln's Emancipation Proclamation* (2004), was gradual, compensated emancipation. But this scheme required acceptance by the loyal slave states and military success. Neither came to

pass. The Emancipation Proclamation was Lincoln's response to the failure of Union arms and of compensated emancipation. The time had come, as he wrote to Cuthbert Bullitt, to stop waging war "with elder-stalk squirts, charged with rose water."

The stronger medicine represented by the Emancipation Proclamation was necessary because the Confederacy was just now exerting maximum effort to mobilize its population for war. In April 1862, the Confederate congress passed a conscription act and organized its mobilized manpower into field armies. One of these, the Army of the Mississippi, struck Grant at Shiloh. Lee's Army of Northern Virginia drove General McClellan back from the gates of Richmond. Then in the fall of 1862, the Army of the Mississippi invaded Kentucky and Lee invaded Maryland. To a great extent, the South was able to do this only because slave labor freed white men to fight. Emancipation could undermine the slave labor system of the South, thereby undercutting the Confederate effort to mobilize its military resources.

From a military standpoint, emancipation was a war measure designed to attack the Southern economy directly. As slaves came under control of Union forces, they could be substituted for soldiers who were required to labor, freeing them up to fight. Thus emancipation

"... measuring him by the sentiment of his country, a sentiment he was bound as a statesman to consult, [Lincoln] was swift, zealous, radical, and determined."

— FREDERICK DOUGLASS, APRIL 14, 1876

LINCOLN AT PEORIA

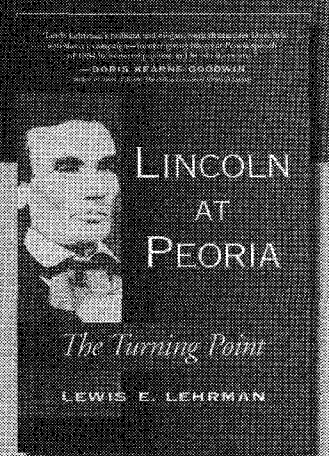
The Turning Point

by Lewis E. Lehrman

Lincoln at Peoria: The Turning Point explains how Lincoln's speech at Peoria on October 16, 1854 was the turning point in the development of his antislavery campaign and his political career and thought. Here, Lincoln detailed his opposition to slavery's extension and his determination to defend America's Founding document from those who denied that the Declaration of Independence applied to black Americans.

Students of Abraham Lincoln know the canon of his major speeches — from his Lyceum Speech of 1838 to his "Final Remarks" delivered from a White House window, days before he was murdered in 1865. Less well-known are the two extraordinary speeches given at Springfield and Peoria two weeks apart in 1854. They marked Mr. Lincoln's reentry into the politics of Illinois and, as he could not know, his preparation for the Presidency in 1861. These Lincoln addresses catapulted him into the debates over slavery which dominated Illinois and national politics for the rest of the decade. Lincoln delivered the substance of these arguments several times — certainly in Springfield on October 4, 1854, for which there are only press reports. A longer version came twelve days later in Peoria. To understand President Abraham Lincoln, one must understand the Peoria speech of October 16, 1854. It forms the foundation of his politics and principles, in the 1850s and in his Presidency.

Now available at www.Amazon.com or www.LincolnAtPeoria.com



THE WALL STREET JOURNAL
published on July 26th, 2008.

"Mr. Lehrman convincingly argues that Peoria marks the inflection-point in Lincoln's political development, when he discovered both the essence of the cause he embraced and the most persuasive way to convey it. At Peoria, Lincoln ceased to be an unremarkable Whig politician, concerned with the usual party platforms on internal improvements and protective tariffs. He gave evidence for the first time of his scrupulous study of the American founding. That fall day was, Mr. Lehrman suggests, the moment when Lincoln became Lincoln."

had the effect of transferring labor from South to North, increasing the fighting potential of Union armies while decreasing that of the Confederate armies.

Militarily, the Emancipation Proclamation opened the way to the next logical step in this process of weakening the South while strengthening the North: enrolling blacks as soldiers in the Union army. The manpower boon to the Union was substantial. Some 180,000 black soldiers served in the Union army. They constituted 120 infantry regiments, 12 regiments of heavy artillery, 10 batteries of light artillery, and seven cavalry regiments. At the end of the war, they constituted 12% of the Union's military manpower.

Although the material contribution of African-Americans, both freedmen and former slaves, to Union victory was substantial, their participation in the war to achieve their own liberty was important for its own sake. Without their participation, the war to save the Union as it was could not have been transformed into a war to save the Union as it should be," i.e., without slavery, and it is unlikely that African-Americans could ever have achieved full citizenship and equality in the United States.

Lincoln and His Generals

ELIOT COHEN HAS SHOWN THAT LINCOLN'S presidency is by no means a model of the so-called "normal" theory of civil-military relations, according to which the civilian authority establishes the goals of the war and then steps out of the way to permit the generals to implement what they believe to be the best military measures to achieve those goals. Lincoln was an activist commander-in-chief who frequently "interfered" with his generals by constantly asking questions and goading them to perform more aggressively.

Early in the war, Lincoln faced a severe crisis in civil-military relations in the person of Major General George McClellan, the commander of the Union Army of the Potomac. Historians tend to treat McClellan as a first-rate organizer, equipper, and trainer but an incompetent general who was constantly outfought and outgeneraled by his Confederate counterpart, Robert E. Lee. But this is a serious misreading of the situation Lincoln faced. McClellan was not incompetent. On the contrary, he and many of

his favored subordinates *disagreed* with Lincoln's policies, and indeed may have attempted to sabotage them. McClellan pursued the war he wanted to fight—one that would end in a negotiated peace—rather than the one his commander-in-chief wanted him to fight.

McClellan did not hide his contempt for the Lincoln Administration, often employing the most intemperate language. On one occasion he wrote his wife that "I have commenced receiving letters from the North urging me to march on Washington & assume the Govt." He did not limit the expression of such sentiments to private correspondence with his wife. Lincoln and his cabinet were aware of the rumors that McClellan intended to put "his sword across the government's policy."

Lincoln knew that he must take action in order to remind the army of his constitutional role. He did this by disciplining Major John Key, aide-de-camp to general-in-chief Henry Halleck and brother of McClellan's aide, Colonel Thomas Key. Lincoln wrote to Major Key about his response to a query from a brother officer as to "why...the rebel army [was not] bagged immediately after the battle near Sharpsburg [Antietam]." Key had replied, "That is not the game" "The object is that neither army shall get much advantage of the other; that both shall be kept in the field till they are exhausted, when we will make a compromise and save slavery."

Lincoln dismissed Key from the service, despite pleas for leniency (and the fact that Key's son had been killed at Perryville), writing in his record of the event that "it is wholly inadmissible for any gentleman holding a military commission from the United States to utter such sentiments as Major Key is within proved to have done." Just over a month later, Lincoln finally fired McClellan himself.

Historians have often wondered at Lincoln's "failure" to appoint a Grant or Sherman earlier in the war. But there is no mystery here. The fact is that Grant's greatness was not apparent in 1862. Neither was Sherman's. More importantly, there was little difference between McClellan and Grant concerning how to conduct the war. Grant changed his view only after the bloodletting at Shiloh. He realized that the South could only be subdued by hard fighting. McClellan still believed in "soft" war.

One of Lincoln's great strengths as commander-in-chief was his decisiveness in reliev-

ing failed generals. (In this, he differed greatly from the Confederate president.) In 1862, Lincoln relieved not only McClellan, but also John Pope after Second Manassas and Don Carlos Buell as commander of the Army of the Cumberland. In January 1863, he relieved Ambrose Burnside, McClellan's successor, after the December 1862 disaster at Fredericksburg. Also in 1863, he relieved Joseph Hooker as commander of the Army of the Potomac early in the Gettysburg campaign, and William S. Rosecrans after his Army of the Cumberland was mauled at Chickamauga.

Lincoln never let sentiment or his personal opinion of an officer get in the way of his assessment of the officer's military potential. He was willing to accept a great deal from his generals if they would give him victory. The best example of this quality is the letter that Lincoln sent to Major General Joseph Hooker, whom he appointed commanding general of the Army of the Potomac in early 1863.

I have placed you at the head of the Army of the Potomac. Of course I have done this upon what appear to me to be sufficient reasons. And yet I think it best for you to know that there are some things in regard to which, I am not quite satisfied with you.... I have heard, in such a way as to believe it, of your recently saying that both the Army and the Government needed a Dictator. Of course it was not for this, but in spite of it, that I have given you the command. Only those generals who gain successes, can set up dictators. What I now ask of you is military success, and I will risk the dictatorship....

In general, Lincoln performed effectively as a military leader. He understood what had to be done and insisted on it. Though the Union may have possessed a material edge over the Confederacy, a strategy was needed to translate this advantage into victory. This Lincoln supplied and saw through to the end.

Mackubin T. Owens is editor of the security affairs journal *Orbis*, and professor of national security affairs at the U.S. Naval War College in Newport, Rhode Island. He is the author of *Abraham Lincoln: Leadership and Democratic Statesmanship in Wartime* (Foreign Policy Research Institute.)

Book Review by Peter W. Schramm

DOUGLASS AND LINCOLN

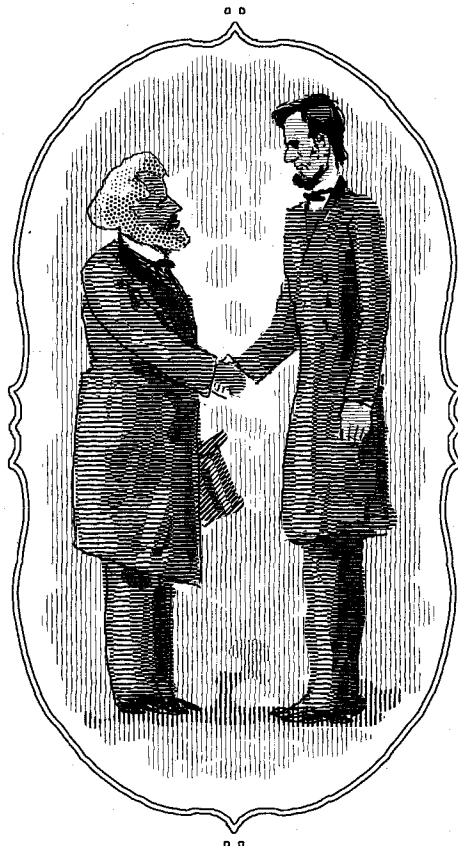
Giants: The Parallel Lives of Frederick Douglass and Abraham Lincoln,
by John Stauffer. Twelve, 448 pages, \$30

Frederick Douglass: Race and the Rebirth of American Liberalism, by Peter C. Myers.
University Press of Kansas, 272 pages, \$34.95

AMERICANS WERE BORN TALKING AND ARGUING. The United States started out in 1776 throwing off the accident and force that ruled by hereditary right in the old world, inviting mankind to respect the equal rights of human nature and the revolutionary choice of government by consent. But from the very beginning, the accident and force of American slavery placed violent limits on American reflection and choice, and called into question our experiment in self-government. By the time Frederick Douglass escaped to freedom in 1838, the experiment of American slavery was in many ways gaining strength, and the country was stumbling toward the great crisis that would come in Douglass's mature manhood.

Born into slavery in 1818, Douglass as a young boy was given by his owner's wife the liberating gift of the English alphabet. He managed by hook and crook in coming years to learn to read and to develop a mastery of the language. He freed himself, gave to himself a birthday (February 3, the date on which he became a free man), took a name, and made of himself not just a free man but an American, even an American gentleman. He gave his first speech to an abolitionist group in 1841. It was a triumph. He was so eloquent that many abolitionist leaders asked him to tone down his rhetoric for fear that no one would believe he had once been a slave. At first, Douglass thought himself an alien within the American order that tolerated slavery, a man without a country. He sided with those who would abolish the evil of slavery regardless of consequences, and had no patience for the constitutional scruples of those, like Lincoln, who resisted abolitionism as firmly as they opposed the spread of slavery. But experience seasoned him; he became a Lincoln supporter and eventually Lincoln's friend. Here is a great American story that John Stauffer's *Giants: The Parallel Lives of Frederick Douglass and Abraham Lincoln* fails, alas, to tell with any verve, lucidity, or insight.

Stauffer's parallel lives theme is a good one, but anyone who wants to read a book devoted to it should read James Oakes's *The Radical and the*



Republican: Frederick Douglass, Abraham Lincoln, and the Triumph of Antislavery Politics (2007). Stauffer tells the essential Lincoln-Douglass stories but they die in the telling. He considers his two subjects, whose lives were indeed parallel but also intersecting, as if they represented certain categories beloved in departments of literature. In doing this, he necessarily does injustice to the real and important mingling of their actual lives. It is, for example, enough for him to say that they both came out of obscurity and poverty, both were self-taught and self-made men, both continued to remake themselves from the same books, and that therefore they were both "antithetical to racism" (Lincoln less so). He delights in such banal observations as that both men were "pragmatic" and in "continual flux" and "cultural ambassadors," as if each represented a different way of becoming human, and were "reformers who believed that history is the activist's muse." These giants are thus made smaller, less noble, and less interesting. In the end, both Douglass and Lincoln understood themselves to be Americans trying to establish

American justice within a constitutional order that would be worthy of being saved and perpetuated. This central and all-encompassing fact eludes Mr. Stauffer.

HAPPILY, IT DOES NOT ELUDE PETER C. Myers. His *Frederick Douglass: Race and the Rebirth of American Liberalism* argues that the "unifying core" of Douglass's mind was his protracted effort to instruct his fellow Americans—whites, blacks, and all—"on the first principles of government, to bring the nation into consistency with itself and so to conceive a nobler liberalism than America had yet known."

Myers examines Douglass's political thought through a statement Douglass made to a crowd on July 4, 1862: "No people ever entered upon the pathway of nations, with higher and grander ideas of justice, liberty and humanity than ourselves." Myers considers the meaning and the soundness of this thought as well as the difficult road Douglass traveled to get to it; he thus sheds light on how Douglass confronted the issue of race and how it ought to be confronted still. Douglass argued that the natural rights principles of the Declaration of Independence are strong and capacious enough to achieve racial justice. Myers shows that from about 1851 until his death in 1895, Douglass read the Constitution in light of these first principles of moral and political philosophy.

It was to these principles that he appealed to refute slavery, to protest against privately organized racial discrimination, to encourage public measures expanding opportunities for former slaves, and to facilitate such formal recognition of natural rights as the right to vote and to acquire property. In his appeals to equal natural rights, Douglass was still able, in Myers's words, to be "hospitable to moderate affirmations of racial identity" and pride, while maintaining the need for long-term reciprocal racial assimilation. What is perhaps less clear in Myers's account is Douglass's understanding of natural law as "self-enforcing" and how that self-enforcing natural law would work in the turbulent political life of

a free people. But taken all in all, Myers's volume is the best contribution to understanding Douglass in a generation.

ODDLY, HIS STUDY OF DOUGLASS HAS MORE to say in a few pages than Stauffer says in a whole book about the significance of the relationship between Lincoln and Douglass and what that relationship says about the country that produced such men. The two first met in August 1863, and Douglass was not expecting a friendly encounter. After black soldiers had proven themselves worthy on the battlefield, Douglass had come to Washington to argue that justice demanded equal pay for their efforts. Following a cold reception from Secretary of War Edwin Stanton, Douglass took his case to the White House.

When he presented his card, he found that, instead of being asked to wait in a long line of office seekers, he was moved to the front of the line. He entered Lincoln's office to find him completely informal and sprawled out on a sofa reading, with his "feet in different parts of the room." Hearing Douglass enter, Lincoln stood to greet him saying, "Mr. Douglass, I know you; I have read about you." Lincoln's reception of him was "just as you have seen one gentleman receive another," Douglass would later say. There was nothing affected in Lincoln's tone or

manner. "I have never seen a more transparent countenance," reported Douglass. He left so impressed with Lincoln's defense of his policies and with the firmness of his positions—to say nothing of his genuine sympathies with the black troops—that Douglass no longer felt the same level of dissatisfaction on the question of unequal pay. He knew something now that was even more crucial. Emancipation would stand.

In 1864 Lincoln had another meeting with Douglass to discuss what might be the alarming fate of those slaves still behind Confederate lines. In the midst of a war in which the existence of the nation was at stake—and an election in which Lincoln's (and the nation's) political future was at stake—Lincoln made time to inquire what might be done for those enslaved men and women who would be beyond his assistance in the event of a failure in the war or the election. Douglass again was impressed by Lincoln's "deep moral conviction" on the question of slavery and with his brutal honesty about the prospects ahead. And he was taken with Lincoln's seeming disregard for any prevailing or habitual notions that there should be anything other than perfect equality between them. "In his company I was never in any way reminded of my humble origin, or of my unpopular color," said Douglass. Indeed, Lincoln was the only white person of prominence about whom Doug-

lass was ever able to say such words. Considering the large number of prominent abolitionists and Christian reformers with whom Douglass was in frequent communication, this is an impressive testament.

As fate would have it, the last time these two American friends saw each other was on the occasion of Lincoln's Second Inaugural Address. Douglass listened to the speech with the crowd and thought it contained some "brave good words." Afterward, he went to the Executive Mansion to attend the reception, but was not allowed to enter. When he sent word to Lincoln that he was being detained, the president ordered that he be admitted. Douglass found Lincoln in the elegant East Room, standing "like a mountain pine...in his grand simplicity, and home-like beauty." Lincoln said, "Here comes my friend," and took Douglass by the hand. "I am glad to see you," said the president. Then he asked Douglass how he liked his address, for "there is no man in the country whose opinion I value more than yours." Douglass famously said, in words that aptly sum up the work to which their lives had been devoted, "Mr. Lincoln, that was a sacred effort."

Peter W. Schramm is executive director of the John M. Ashbrook Center for Public Affairs and professor of political science at Ashland University.

Essay by John Channing Briggs

STEEPED IN SHAKESPEARE



SHAKESPEARE'S PLAYS WERE UBIQUITOUS IN antebellum America. They inhabited the schoolbooks, including Scott's *Lessons in Elocution*, which Lincoln read as a boy. Dozens of editions circulated through the states and territories. The plays visited rural and urban stages in scenes and declamatory excerpts as well as larger productions, and crystallized a turning point in the Webster-Hayne debate of 1830, in which senators disputing the future of the union and the territories alleged blame for the political crisis by fighting over the significance of Banquo's ghost.

Senator Hayne said the ghost was a manifestation of Senator Webster's uncontrollable desire to revive Whig power by means of "dark visions of broken hopes, and honors lost forever, still floating before his heated imagination." Webster's counter, that Hayne had seriously misread *Macbeth*, is an impressive demonstration of the degree to which readings of Shakespeare could shape political debate. Banquo's "gory locks were shaken," Webster spoke in correction, "at those who had begun with caresses and ended with foul and treacherous murder." The great orator followed with a shrewdly hyperbolic exposition of the entire scene, in which Hayne and the Democrats were indicted instead:

The ghost of Banquo, like that of Hamlet, was an honest ghost. It disturbed no innocent man. It knew where its appearance would strike terror, and who would cry out, A ghost! It made itself visible in the right quarter, and compelled the guilty and the conscience-smitten, and none others, to start, "Pr'ythee, see there! —look!

Lo,/ If I stand here, I saw him!" Their eyeballs were seared (was it not so, Sir?) who had thought to shield themselves by concealing their own hand, and laying the imputation of the crime on a low and hireling agency in wickedness; who had vainly attempted to stifle the workings of their own coward consciences by ejaculating through white lips and chattering teeth, "Thou canst not say I did it!"

Americans took their Bard seriously, even as they sought to distance themselves from Britain. In her book, *Shakespeare and the American Nation* (2004), Kim C. Sturgess reports that at the time of the 1849 theater riots in New York—provoked in part by a British actor's allegedly haughty rendition of *Macbeth*—three theaters in the city were presenting divergent interpretations of Shakespeare's assassin-turned-tyrant. Visions of kingship and tyranny, heroic resistance and rebellion, high virtue and depravity, animated the waking dreams of the young republic. A new order had triumphed—for the ages, it was hoped—over the history of tyranny, mortal discord, and self-destruction that Shakespeare had distilled in tragic drama. Yet the ghosts of the old order returned with their vanquishers, animating republican spirits anxious to perpetuate the founders' accomplishments. The American adoption of Shakespeare was therefore no simple domestication. The plays accessed political and moral depths and high places to which the American experiment might descend or aspire. They offered a way to purify and incorporate the new nation's British heritage.

The Thought Suffices

LINCOLN READ AND REREAD SHAKESPEARE in his New Salem years. In his campaign autobiography, he noted that a literate man in that part of the frontier was a prodigy; if he understood Latin, a "wizard." There were a number of highly literate persons in the New Salem neighborhood; they lent him books and read the newspapers that passed through his store. But Lincoln's knowledge of Shakespeare, in depth if not in breadth, was prodigious. He was steeped in Shakespearean language and Shakespearean preoccupations by the time he arrived in Springfield. His Lyceum Address, delivered soon after, is in its subject and some of its phrasing a meditation on *Macbeth*. Herndon recalls his partner's frequent immersion in the plays. During his years in Washington, Lincoln is reported to have kept a collection of them on his White House desk, from which he would read passages aloud. He saw hundreds of plays of all kinds in Washington, many by Shakespeare. He once saw four history plays in one week, and conversed and corresponded with the actor who played Falstaff. He is said to have recited several Shakespearean soliloquies with unsettling force and conviction. In his last days, in the suspenseful period when Union armies closed in on the remaining Confederate resistance, he read from *Macbeth* to members of his cabinet on the presidential yacht.

Lincoln was a dedicated reader of Shakespeare most of all. He intimated that he preferred the plays in print: "the thought suffices," a visitor heard him say, no matter how poorly the parts were acted. As a deep reader, he was

his own best actor. In his self-effacing, declarative letter to the actor James Hackett (the insistent admirer who tried to play Falstaff to Lincoln's Hal), he wrote that there were some plays he had "never read," but that he had "gone over" some plays "as frequently as any unprofessional reader." These included "Lear, Richard Third, Henry Eighth, Hamlet, and especially Macbeth." He went on to express the unpopular opinion that Claudius's often omitted speech (in *Hamlet*) beginning "O, my offence is rank" was more arresting than Hamlet's "To be, or not to be." For Lincoln, the king's agony of tyrannical desire struggling with conscience trumped the prince's restive argument that "conscience does make cowards of us all."

Lincoln's disclosure of his Shakespearean preferences resonated in the American republic. When Hackett published the letter without Lincoln's permission, the *New York Herald* satirized the president as "the latest and greatest of Shakespeare's Commentators," a negligent and pretentious emulator of Claudius "to double business bound." In response, the *Liverpool Post* printed an editorial (which was reprinted in the *Herald* with a satirical headline) defending Lincoln's disclosure as characteristic of the president's self-effacing heroism. The unpopular choice of Claudius over Hamlet, the *Post* argued, was evidence that Lincoln made "incisive use of his own wits." It called Lincoln's testimo-

ny admirable "for its simplicity and candor...as fresh and delightful as new mown hay...: [F]ar better for a man to read one play twenty times, because he loves it, than to read twenty plays once, because they constitute the author's works and must be gone through." What Lincoln said and what he wrote about Shakespeare were interpreted as an enactments of his character, and in several ways they were.

Rebellion Illustrated

ALL THE PLAYS LINCOLN LISTED HAVE TO do with tyrannical rebellion and deposition, both psychological and political. His interest in such reversals, and the inner beings of those caught up in them, was deep. When Hackett visited the White House after a Henry IV play, John Hay reports that the president asked why that work's mock deposition scene (presumably the one in Henry IV, Part 1, involving Hal and Falstaff changing places as prince and king on a tavern throne) had been left out. Hackett resorted to an incredible explanation: the scene did not work on stage. Whether Lincoln was referring to the tavern scene or perhaps an interpolation of the preceding deposition in *Richard II* (which had discomfited Queen Elizabeth I), the important thing is that he wanted to see an enactment of royal overthrow in the midst of the country's civil

war. He wanted to see deposition and rebellion repeated feelingly in a Shakespearean frame he could study.

Lincoln's reflective analysis of the South's rebellion was evident in his attachment to the opening speech of *Richard III*. As reported in 1866 by the painter F. B. Carpenter, the president referred in 1864 to misinterpretations by "sophomoric" actors who did not appreciate the depth and complexity of Richard's "bitterness and satire." In 1854, he had used echoes from the play to identify Stephen Douglas's most important legislative innovation with Richard III. The Douglas-sponsored Kansas-Nebraska Act, he argued, was a manifestly cynical breach of faith: "It could not but be expected by its author, that it would be looked upon as a measure for the extension of slavery, aggravated by a gross breach of faith. Argue as you will, and long as you will, this is the naked FRONT and ASPECT, of the measure." The act's "front" and "aspect" (like Richard's "smooth-visaged front," "ugly and unnatural aspect," and "naked villainy") had allegedly ruined the comity of the 1850 compromise under the guise of preserving it.

In Carpenter's White House recollection, Lincoln analyzed Richard's motives as though in profound reflection upon the South's rebellious purposes:

Richard, you remember, had been, and was then, plotting the destruction of his brothers, to make room for himself. Outwardly, the most loyal to the newly crowned king, secretly he could scarcely contain his impatience at the obstacles still in the way of his own elevation. He appears upon the stage, just after the crowning of Edward, burning with repressed hate and jealousy. The prologue is the utterance of the most intense bitterness and satire.

Lincoln then performed from memory Richard's Cain-like impatience, and Carpenter recalls the performance's "force and power." By chance or design, Carpenter's account, which was published just after Lincoln's death, links Richard's hidden rage to the union-destroying, conspiratorial anger of a rebellious South that Lincoln described in the opening of the Second Inaugural:

While the [first] inaugural address was being delivered from this place, devoted altogether to saving the Union without war, insurgent agents were in the city seeking to destroy it without war—seeking to dissol[v]e the Union, and divide effects, by negotiation. Both parties deprecated war; but one of them would *make* war rather than let the nation survive...

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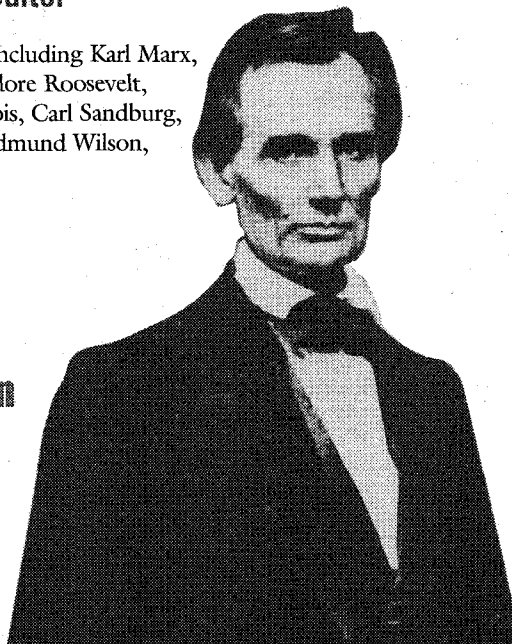
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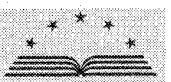
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Engaged in civil war against that spirit and yet anticipating reconciliation, the Civil War president in Carpenter's story shows himself capable of inhabiting Richard's character with empathy as well as critical control. Lincoln's admiration for Claudius's failing prayer in Hamlet conforms to this pattern.

O, my offence is rank, it smells to heaven;
It hath the primal eldest curse upon't,
A brother's murder. Pray can I not,
Though inclination be as sharp as will;
My stronger guilt defeats my strong intent,
And, like a man to double business bound,
I stand in pause where I shall first begin,
And both neglect. What if this cursed hand
Were thicker than itself with brother's blood,
Is there not rain enough in the sweet heavens
To wash it white as snow? Whereto serves mercy
But to confront the visage of offence?
And what's in prayer but this two-fold force,
To be forestalled ere we come to fall,
Or pardon'd being down? Then I'll look up:
My fault is past. But O, what form of prayer
Can serve my turn? "Forgive me my foul murder?"
That cannot be; since I am still possess'd
Of those effects for which I did the murder,
My crown, mine own ambition and my queen.
May one be pardon'd and retain the offence?

The brother-murderer wrestles with his soul while possessing the very things for which he did the murder, his inner struggle enacting the antebellum dilemma. Blood stains the republican soul, both north and south. Slavery corrupts the slaveholder as well as the slave. In the North, the indefinite toleration of slave laws for the good of the Union cannot put down the belief that the republic is a participant in a primal crime. On the one hand, the dilemma is intractable. Self-righteous slaveholders and abolitionists cannot escape their own entanglement in what all have inherited. On the other hand, Claudius's prayer—failing, yet thirsting for what it knows it lacks—aspires toward release while creating the grounds for more desperate acts, even as it surprises us into an appreciation of his divided, flawed humanity.

It seems likely Lincoln was attached to Claudius's speech because it embodied this vertiginous dilemma, not merely as a confession of guilt or an expression of hypocrisy but as a struggling soul's effort to be free even as it becomes (in Claudius's words) "more engaged" in its tyrannies. He once linked Douglas's Kansas-Nebraska Act to Claudius's failed prayer for forgiveness: "It hath no relish of salvation in it." Douglas had sought to overcome the nation's political dilemma by appealing to popular sovereignty, but in Lincoln's estimation had only inflamed sectional conflict. Presuming to win the blessing of the ballot box, Douglas had ex-

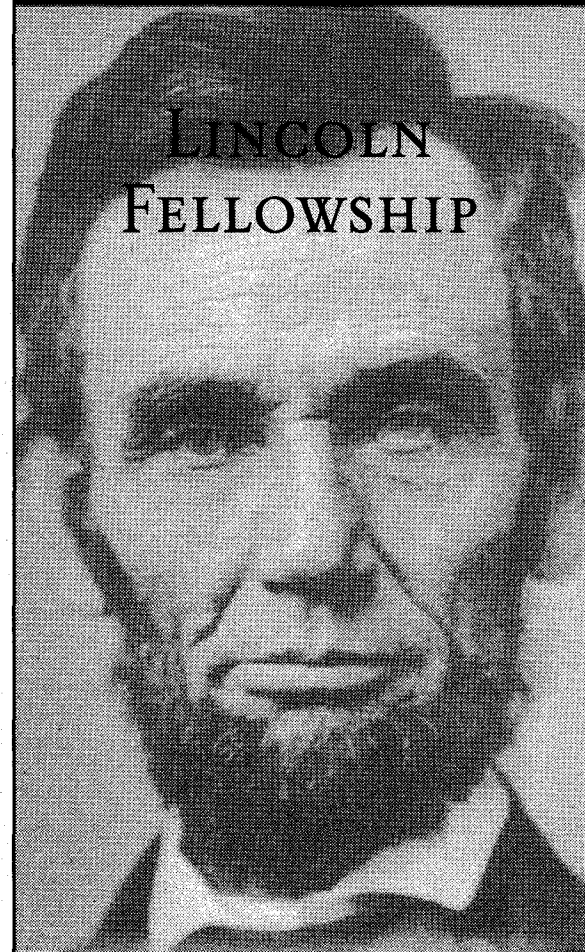
perienced Claudius's disappointment without possessing Claudius's self-knowledge or recognizing the perverse effects of his own ambition.

A Threat and a Warning

THE WONDROUS CONTRAST BETWEEN these loaded psychological and political understandings of Shakespeare and modern expectations—especially modern academic expectations—is difficult to underestimate. The plays to which Lincoln was drawn were not about slavery, at least not the chattel slavery that moderns now generally assume to be the focus of the Civil War. To be sure, they had profound implications for that slavery. Frederick Douglass posed a moral challenge to a slave-owning and -tolerating nation by quoting frequently from the plays' affirmation of a common humanity and the power of justice. Lincoln's tendency, on the other hand, was to consult and invoke Shakespeare rarely, indirectly, and by diffuse means, in an almost disorienting, haunting manner, to illuminate slavery's potential in the republican soul. From the Lyceum Address of 1838 to the Second Inaugural, this was his Shakespearean preoccupation. Above all, he was interested in the soul of the real and would-be tyrant, and the ways in which the American character and American polity might resist and overcome the onslaught of tyrannical government from within.

For Lincoln, crucial aspects of the plays were especially edifying and curative in this light. As inoculations of a living pathogen, they were to be *undergone*: read and reread, pondered, taken to heart. The leading American Shakespeareans of the stage, the famous Edwin and his later-notorious brother John (sons of Junius Brutus Booth), were not alone in being caught up in theatrical recreations of tyranny and resistance. Like them, Lincoln invoked Caesar's name with Alexander's and Napoleon's in the Lyceum Address, warning against that "towering genius" who might destroy the founders' work. He cautioned that such a man would liberate the slaves in defiance of the Constitution or enslave all free men, if he thought it necessary to achieve distinction. But what most interested Lincoln were the tyrannical fevers and circumstances that gave birth to such an ambition. Shakespeare's most prominent king-killers—Richard III, Claudius, and Macbeth, not the enigmatic and undemonstrative Julius Caesar or Hamlet—were therefore his favorites. All three are enmeshed in implosive psychological dramas as well as political revolt. They draw audiences in, not simply as exemplars of tyranny but as attractive, dangerous potentialities within a republic, temptations that cannot be resisted successfully by reason alone or even by reason vehemently warned.

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Lincoln concedes that the threat is invisible as long as a free people fails to recognize such tendencies within itself, especially in its confidence borne of success. Mere speech and the desire to give warning do not regulate the pathology of tyrannical rule by one man or a mob, or submission to political and moral slavery. We detect in retrospect that Lincoln is contemplating the challenge of overcoming that potentiality in himself, not only in his audience, since he is the political genius who sees, and understands sympathetically from within, the mortal threat that is invisible to others.

We see in the Lyceum Speech and Lincoln's love of Shakespeare the assumption that tyranny cannot be resisted without a sympathetic appreciation of the genius-tyrant's power to seduce a free people, and perhaps himself, with measures that subvert a self-governing republic. What better examples of this phenomenon in Shakespeare than Richard Duke of Gloucester's successful wooing of his suspicious yet fatally naïve victims; Claudius's secret yearning to confess his murder while conspiring to keep Gertrude and kill Hamlet; Macbeth's falling back before his bloody dagger yet doing the deed anyway and then acting the part of a savior king visiting judgment on the unfaithful?

Nothing Equals Macbeth

IT SEEMS DOUBLY APPROPRIATE, THEN, THAT Lincoln found *Macbeth* "wonderful." His preference was emphatic: "I think nothing equals Macbeth." *Macbeth* is indeed Shakespeare's most dramatic portrayal of absorption into tyranny, and of the struggle to resist its pathological forces. Macbeth is a killer whose deeds metastasize with his exercise of conscience. Those who struggle to resist him (remember the mutual testing in Malcolm's interview of Macduff) must learn how to overcome their profound psychological unreadiness, in-

cluding their conscience-ridden fear that Macbeth's triumph might overtake them all.

Macbeth is not prepared, and indeed is never quite prepared (Lady Macbeth knows him well) for what he discovers he is capable of wreaking upon others and upon his own soul. His horror at what he has done and what he sees he can do wins our empathic understanding. The accelerating brutality he is surprised to find in himself as he tries to quiet his conscience horrifies us with its preternatural speed and ruthlessness.

It is hard to think of a protagonist more remote from the American Adam, and yet Macbeth is a haunting reminder of the potentialities of the post-Revolutionary generation that Lincoln addressed in his Lyceum speech. In the play's first act the witches' prophetic webs tempt Macbeth's indiscriminate thirst for distinction at the moment he seems most safe, in triumph over all his king's enemies. His king and other nobles rest in the assurance that Duncan's dynasty will reign in peace. The possibility that one of their number—indeed, the most trusted for his victory over other threats—might seize far greater power, invulnerable in the seeming knowledge that his success has been preordained and that victory protects him from all opposition, bursts upon them unsuspected, even though Macbeth's precedent in the rebellion of Cawdor is before their eyes. Merely invoking the "better angels of our nature" (Seward's appropriation from the dramatic Sonnet 144, which Lincoln changed and embedded in the charged sublimity of the First Inaugural's final lines) is not enough. Shakespeare's sonnet is about the good and bad angels engaged in conflict and mutual seduction.

In 1842 Lincoln was thinking of a means of overcoming Macbeth's tyranny when he wrote his Temperance Address about the power of drink. Alcohol induced "fury" most tellingly in "the brilliant and the warm-blooded." Sympathy for drink's victims, rather than the vain con-

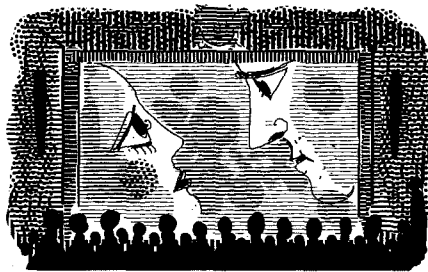
demnations of preachers and the overreaching legislation of lawyers, was appropriate. And yet drink must be resisted: drunkenness was a great evil. The ravages of alcohol, Lincoln argued, were best overcome with the help of those who knew them personally and had somehow risen above their addiction: the Washingtonians (a society of reformed alcoholics). How did they rise? For one thing, they remembered Washington's example of temperance. Recalling Weems's biography, Lincoln urges a similar approach for others. The hero of the Revolution was heroically temperate, an embodiment of political temperance who fixed his virtue in the nation's memory when he retired from the presidential chair. No mere teetotaler or rule-maker, Washington overcame the potentiality of furious ambition in himself. As the indispensable man of the Revolution and the early republic, he knew the desire to rule absolutely but overcame it.

In the conclusion of the Temperance Address, Lincoln uses *Macbeth* to expound this idea. He quotes and transforms the witches' greeting to Macbeth—who famously drinks to steel himself before carrying out the prophecy by murdering the good king Duncan. Lincoln changes Shakespeare's phrasing, commending the Washingtonians' temperance by praising their struggle for sobriety in full knowledge of their own power to destroy: "Hail fall of fury! Reign of Reason, all hail!" Washingtonian reason cannot by itself dictate the fall of tyrannical fury. That liberation is for Lincoln an achievement of reason and temperament embodied in a flawed yet perfectible soul, and immersed in the American experiment in self-government. For Lincoln that soul and temperament were alive, ready to be adapted, in the works of Shakespeare.

John Channing Briggs is professor of English at the University of California, Riverside, and the author of Lincoln's Speeches Reconsidered (Johns Hopkins University Press).

• SHADOW PLAY

by Martha Bayles



Unfinished Work

NANCY HANKS LINCOLN, THE “ANGEL mother” of Abraham Lincoln, died of milk sickness when her son was nine. But she has many proud descendants, including actor Tom Hanks, who co-produced the recent HBO series, *John Adams* (see my “A Monument to Adams,” *CRB*, Summer 2008). Hanks has spoken of a comparable effort for his illustrious ancestor, but that doesn’t seem to be happening this bicentennial year. Instead, Steven Spielberg will direct a feature film based upon Doris Kearns Goodwin’s book, *Team of Rivals: The Political Genius of Abraham Lincoln* (2005), starring Liam Neeson and written by Tony Kushner.

I wonder whether Kushner, the author of *Angels in America* and a gay icon, will base his interpretation on C.A. Tripp’s *The Intimate World of Abraham Lincoln* (2005), which argues that Lincoln was the original Log Cabin Republican. A “sex researcher” not a historian, Tripp has been faulted for skewing the evidence. For instance, he places great emphasis on Lincoln’s youthful bond with Joshua Speed, which included sharing a bed and signing letters “yours forever.” But as several historians (Goodwin among them) have noted, bed-sharing and sentimental friendship were both common in 19th-century America. It is well known that young Lincoln was awkward around women and preferred the company of men. But in all the inherited gossip, there is no hint that his sex life followed suit.

Walt Whitman wrote that “the complete limning of...[Lincoln’s] future portrait” would require “the eyes and brains and finger-touch of Plutarch and Aeschylus and Michelangelo, assisted by Rabelais.” Yet even that dream team would find it hard, in the space of a two-hour movie, to do justice to Lincoln’s political genius. In an eight- or ten-hour TV series, perhaps, it

might be possible for ordinary gifted mortals (such as Tom Hooper, who directed *John Adams* and, before that, *Elizabeth I*) to scratch the surface, at least. Yet in Lincoln’s phrase from the Gettysburg Address, the cinematic record of America’s greatest president remains “unfinished work.”

Early Efforts

THE REAL LINCOLN WAS NEVER CAPTURED on magic lantern, zoetrope, or any other motion-picture device invented during the 1860s. But beginning in 1908 he was a favored subject in silent films, with impersonators like Ben Chapin later portraying him pardoning condemned soldiers and doing other good deeds in an extension of what historian Merrill D. Peterson calls Lincoln’s “apotheosis.” Typically these films did not show Lincoln freeing the slaves, or if they did, it was to show that he freed them in order to deport the entire black population to an overseas colony. Such was the message of Thomas Dixon’s best-selling novel and play, *The Clansman* (1905), and of D.W. Griffith’s much admired and abhorred film, *The Birth of a Nation* (1915).

Early 20th-century America had two Lincolns, one for the white folks and one for the black. Griffith never accepted the latter, but his 1930 film, *Abraham Lincoln* (one of only two “talking pictures” he ever made), contains none of the racist riffs found in *The Birth of a Nation*. Starring Walter Huston, the celebrated stage actor and father of director John Huston, *Abraham Lincoln* dutifully pauses at each Station of the Lincoln Cross, including the signing of the Emancipation Proclamation. And it has two other saving graces: an undercurrent of sardonic humor and the look of a 19th-century photo-

graph brought to life. When these converge, the result is an eerie but wonderful illusion: the real Abraham Lincoln cracking up at one of his own droll stories.

The next major dramatization of Lincoln was *Abe Lincoln in Illinois*, a 1938 play by Robert E. Sherwood, adapted for the screen in 1940. During World War II Sherwood wrote speeches for FDR and served as director of the Office of War Information, and afterward he distinguished himself by writing the screenplay for the 1946 classic, *The Best Years of Our Lives*. Because of these achievements, *Abe Lincoln in Illinois* is frequently lauded, not least because its star, Raymond Massey, bears a strong physical resemblance to Lincoln. And Massey certainly brings out Lincoln’s folksy, yarn-spinning side, as in the invented scene where he is traveling down the Sangamon River on a flat-bottom boat loaded with pigs, only to run aground in New Salem, Illinois. The pigs get loose and ol’ Abe gives chase, and when he’s jus’ about to grab a-holt of the last squealer, he spies the purtiest gal in town, Ann Rutledge. Folks, I don’ mind tellin’ you, this is one of the cutest gosh-darn meetin’s them movie fellers ever throwed up on the screen.

Unfortunately, Sherwood’s hayseed lacks certain essential parts, such as a thick hide, an iron will, and a belly burning with ambition. It is sometimes said of Lincoln that he was “passive,” meaning he sat back and waited for events to shape themselves. But according to Republican Senator Lyman Trumbull of Illinois, this was because he “communicated no more of his own thoughts and purposes than he thought would subserve the ends he had in view.” Lincoln was a master poker player, not a Raggedy Abe doll needing a woman, Mary Todd (Ruth Gordon), to supply him with spunk. In the words of his law partner, William Herndon,

Lincoln "was always calculating, and always planning ahead. His ambition was a little engine that knew no rest."

Why did Sherwood create such a shrunken Lincoln? Maybe because he wanted to make a statement about American democratic values at a time when the future was being claimed by totalitarian dictators ravenous for conquest and power. Compared with Hitler, Mussolini, and Emperor Showa (Hirohito), Sherwood's Lincoln is a simple, good-hearted Cincinnatus, happy to plow his fields and indifferent to the lure of high office. "Please," he says, "I just want to be left alone." When persuaded to wear the toga, he obeys, but with a stoop, as though already groaning under the yoke of duty. In the symbolic realm of the stage, this device might have worked. But 70 years later, in the more literal medium of film, it rings false.

Greatness and Melancholy

BY CONTRAST, JOHN FORD'S CLASSIC FILM, *Young Mr. Lincoln* (1939), still rings true. The star, Henry Fonda, is too handsome, even with skillfully applied schnoz, and too graceful, even with artfully executed clumsiness, to resemble Lincoln. But Fonda captures what Massey misses. First, he captures Lincoln's wiliness. Watching this unprepossessing young lawyer in a rural murder trial gull both the prosecutor and the plaintiff, we glimpse the future president who, when two cabinet members, William Henry Seward and Salmon P. Chase, handed in their resignations, refused to accept them but conspicuously stuck them in his pocket, saying, "I can ride on now, I've got a pumpkin in each end of my bag."

Second, *Young Mr. Lincoln* captures what film scholar Geoffrey O'Brien calls "the singularity of Lincoln." Like Sherwood, Ford wanted to portray Lincoln as a democratic hero. But unlike Sherwood, Ford also admitted "the paradox that Lincoln, the great democratic hero, triumphs by a real intellectual and moral superiority (not to mention the physical superiority of the champion rail-splitter) over his fellows." When Fonda says, "People used to say I could sink an ax deeper than anyone they ever saw," he expresses both sides of Lincoln's character. As O'Brien puts it, he is "hinting, for anyone subtle enough to catch the hint, at his own depths, while at the same time maintaining a guileless front that could pass for country boy naivete."

What Ford's film does not show, except through a hokey Hollywood finale (thunder, lightning, "The Battle Hymn of the Republic") is that the mature Lincoln would pay an agonizing price for his singularity. His fabled reticence bespeaks a chronic inability to connect deeply with others or to trust them entirely. Combined

with Mary's mental instability, this reticence has been fodder for psychobiographers ever since 1931, when a squabble broke out among psychoanalysts over how best to diagnose Abe. That particular dispute was settled, more or less, in a 1933 book called *Lincoln and the Doctors*, by Milton H. Shutes, which beat back some of the more bizarre theories in favor of calling Lincoln "a depressive type of psychoneurotic within the bounds of so-called normality."

Less clinically, Goodwin concludes that although Lincoln suffered "two despondent episodes in his early life" and "had a melancholy temperament," he also "possessed an un-

hundreds of people who had known Lincoln, concocted a posthumous account of his youth that, reflecting Herndon's lack of imagination and dislike of Mary, adhered to the formulas of 19th-century melodrama: happy, footloose young Abé falls in love with Ann Rutledge, the embodiment of feminine perfection, only to lose her to a fever. Broken-hearted (cue the violins), he heads for Springfield, where, dazzled by the wealthy, well connected Todd family, he allows himself to be roped into a marriage that quickly descends into a living hell.

According to Peterson, the majority of biographers have either ignored this melodrama or swallowed it whole, depicting Mary as "a modern Xanthippe—a shrew, a curse, a haughty fool." A few chroniclers have treated Mary gently, but overall, there have been "hundreds of brutal words for every kind one." They should all heed Andrew Ferguson's sage advice: "The Lincolns' marriage, like your marriage and mine, was a mystery to everyone but the two people involved directly, and maybe to them too." From this perspective, the best approach would be to extend maximum sympathy to both husband and wife as they meet, marry, produce children, rise to political power, and then pass together through the valley of the shadow of death.

Vidal's Lincoln

HAS ANY FILM DONE THIS? CURIOUSLY, THE first to try was a TV miniseries based on a novel that does not try. In 1988, NBC aired Gore Vidal's *Lincoln*, a 190-minute drama based on the author's 1984 best-seller, *Lincoln*. Some critics faulted the miniseries for departing from the novel. But that's why I praise it. Chock full of information and written in a breezy, world-weary style, Vidal's novel strips Lincoln of all moral grandeur. Indeed, as Herbert Mitgang wrote in 1988, Vidal accepts "the incredible theory," set forth by "revisionist academics," that "Lincoln really wanted the Civil War, with its 600,000 casualties, in order to eclipse the Founding Fathers and insure his own place in the pantheon of great presidents." Replying to this accusation in the *New York Review of Books*, Vidal wrote, "Yes, that is pretty much what I came to believe."

Vidal supports his theory by quoting a passage from Lincoln's 1838 address to the Young Men's Lyceum in Springfield:

Towering genius disdains a beaten path. It seeks regions unexplored.... It denies that it is glory enough to serve under any chief. It scorns to tread the path of any predecessor however illustrious. It thirsts and burns for distinction; and, if possible, it will have it, whether at the ex-

Films discussed in this essay:

Abraham Lincoln, directed by D.W. Griffith. Screenplay by Stephen Vincent Benet, John W. Considine Jr., and Gerrit J. Lloyd. United Artists.

Abe Lincoln of Illinois, directed by John Cromwell. Screenplay by Grover Jones and Robert E. Sherwood. RKO Radio Pictures.

Young Mr. Lincoln, directed by John Ford. Screenplay by Lamar Trotti. Twentieth Century Fox.

Gore Vidal's Lincoln, directed by Lamont Johnson. Teleplay by Ernest Kinoy. Chris/Rose Productions and Finnegan/Pinchuk Productions.

Abraham and Mary Lincoln: A House Divided, directed by David Grubin. Screenplay by David Grubin and Geoffrey C. Ward. David Grubin Productions.

canny understanding of his shifting moods, a profound self-awareness that enabled him to find constructive ways to alleviate sadness and stress." Goodwin's book is also about Lincoln's first cabinet, so it is telling when she adds that "compared with his colleagues, it is clear that... [Lincoln] possessed the most even-tempered disposition of them all." With all due respect to psychiatry, Lincoln's "psychoneurosis" is not the point. Every human being has his portion of private sorrow; what matters is how well he bears it. The word for that is character.

Still, no dramatist or filmmaker can portray Lincoln without having some sort of fix on his emotional life. For many years, this was provided by Herndon, who after interviewing

pense of emancipating slaves or enslaving free men.

Then, puffing out his scholarly chest, Vidal intones: "What the Trojan War was to the Greeks, the Civil War is to us. What the wily Ulysses was to the Greeks, the wily Lincoln is to us."

These literary touches bring Vidal's self-vindication to a highfalutin close, but they are ill-conceived. The first is taken out of context, the second inaccurate and misleading. In context, the Lyceum passage is one item in a list of familiar dangers to republican self-rule: the mob, the vigilante, the demagogue, the tyrant. To cast Lincoln as the very thing he is warning against is itself a cheap demagogue's trick. As for the Homeric allusion, Ulysses was indeed wily—along with being peerless in battle, true to his wife and son, and worthy of Athena's special favor. But Ulysses did not start the Trojan War, any more than Lincoln started the Civil War. Just as the Greek hero sought to avoid joining Agamemnon's campaign, so did the American president strive to avoid the conflagration that began at Fort Sumter. But when the inevitable came, both faced it with ferocity, fortitude, and sorrow. Vidal ends his novel with an even more ill-conceived comparison: Lincoln and Otto von Bismarck. Beware literati making political analogies!

Gore Vidal's *Lincoln* does not improve greatly on the novel's diminished portrait of Lincoln, but to its credit, neither does it follow Vidal in depicting him as having syphilis or dreaming of Napoleonic conquest. Proviso: to appreciate the film (available on DVD but only in a murky, low-quality transfer), you must be able to absorb large doses of Sam Waterston. Even if you like Waterston in other roles, such as District Attorney Jack McCoy in TV's *Law & Order*, you must brace yourself for a Lincoln who is an inch or two shorter than most of his cabinet members and whose emotions run to about the same depth. But this runty, earnest Lincoln improves as he goes along—not least because he gets a lot of help from Mary Tyler Moore (yes, you heard that right), who as Mary Lincoln gives what may be the finest performance of her career.

Here is where the miniseries departs most admirably from the novel. Instead of Vidal's cold and cursory depiction of the Lincoln marriage, and of Mary as an annoying appendage, the film places Mary where she belongs, at the heart of the story. It was said of Mary Lincoln that she was "either in the garret or the cellar." In today's clinical parlance, the diagnosis would be bipolar disorder. Regardless of the term, Moore's Mary is a woman ruled by emotional extremes that she can neither abide nor abate. Her embarrassing outbursts, manic spending sprees, black depressions, and uncontrollable rages—all are shown

with no punches pulled. But Moore also keeps in view Mary's intelligence, self-awareness, and underlying goodness. This is the family member we all recognize, the "difficult" one whose volatility makes her impossible to live with, but whose love for us (and ours for her) makes her impossible to live without. Like the gloriously chugging locomotive in the opening and closing scenes, Moore's performance gives momentum and weight to the rest.

The Ken Burns Effect

SPEAKING OF CHUGGING LOCOMOTIVES, there are plenty of them in another TV series about the Lincoln marriage, the 360-minute documentary, *Abraham and Mary Lincoln: A House Divided*, which aired on PBS in February 2001. There are also plenty of spinning carriage wheels, pounding hooves, falling raindrops, lighted windows, and hands doing everything from splitting rails to playing harpsichords, stitching velvet to signing historic documents. There's also a lot of mood music, two actors (David Morse and Holly Hunter) reciting passages from the Lincolns' papers, and finally (it almost goes without saying) the steady cadence of David McCullough's voice stroking its serene way through the narrative.

This school of documentary film making is ripe for parody, and one of these days some smart aleck is going to nail it. But you have to hand it to the pros, people like Ken Burns, his brother Ric Burns, and in this case David Grubin, who wrote and directed *Abraham and Mary Lincoln*: they have perfected the craft of bringing history to life on film without resorting to cheesy "re-enactments" or "dramatizations." *Abraham and Mary Lincoln* relies on talking heads, "beauty shots" of natural landscapes and historic buildings where particular events took place, and (most of all) a rich mixture of period photographs, press clippings, posters, and other visual documents. Here the essential piece of equipment is the rostrum camera: a device that adds movement and emphasis to still images by scanning, panning, and zooming. (Nowadays you can buy a computer program to do this via digital processing: it's called the "Ken Burns Effect.")

Grubin is a master of the rostrum camera, squeezing every possible meaning out of a limited stash of sepia-toned photographs of Abraham, Mary, their sons, and most powerfully, the devastated faces, bodies, and battlefields of what Lincoln called "this frightful war." But how many times can we zoom in on the image of some 19th-century figure who could not imagine "acting naturally" before a camera? There's only so much feeling to be wrung out of these stiffly composed portraits with their carefully

neutral expressions, held rigidly in place while the image slowly registered on the plate. When done right, this kind of documentary can be moving, even dramatic. But ironically, the more dramatic it is, the more it fosters a craving for the real thing.

Can any film do justice to the political genius of Abraham Lincoln? Probably not. But there's plenty of room for improvement. When the actor capable of playing Lincoln shows up, I hope he will begin by studying Huston's ability to bring old daguerreotypes to life, then graduate to Fonda's ability to dwell in two places at once: first, the hardscrabble ground inhabited by his backwoods peers; second, the realm of greater understanding where political savvy and learning ripen into what Aristotle called practical wisdom. *Young Mr. Lincoln* suggests how these two realms were joined in Lincoln's youth. To suggest how they were joined in his maturity is a taller order, needless to say. When the film capable of meeting that order appears, I hope it will include this strange but eloquent moment, witnessed and later written about by Walt Whitman:

I shall not easily forget the first time I ever saw Abraham Lincoln. It must have been about the 18th or 19th of February, 1861. It was rather a pleasant afternoon, in New York city, as he arrived there from the West, to remain a few hours, and then pass on to Washington, to prepare for his inauguration. I saw him in Broadway, near the site of the present Post-office.... The omnibuses and other vehicles had all been turn'd off, leaving an unusual hush.... A tall figure step'd out...then, after a relieving stretch of arms and legs, turn'd round for over a minute to slowly and good-humoredly scan the appearance of the vast and silent crowds. There were no speeches—no compliments—no welcome—as far as I could hear, not a word said. Still much anxiety was conceal'd in that quiet. Cautious persons had fear'd some mark'd insult or indignity to the President-elect—for he possess'd no personal popularity at all in New York city, and very little political.... But on this occasion, not a voice—not a sound.... He looked with curiosity upon that immense sea of faces, and the sea of faces return'd the look with similar curiosity. In both there was a dash of comedy, almost farce, such as Shakespeare puts in his blackest tragedies.

I get goose bumps just reading this passage, so I can imagine the power of it captured truly on camera. The day that happens will be a great day for American cinematic art.

PARTHIAN SHOT

by Mark Helprin



Decision in the West

IN HIS GREAT CIVIL WAR HISTORY, *DECISION IN THE WEST* (1992), ALBERT CASTEL describes the last Confederate hope of victory. If in 1864 the Confederate armies continue to exact a steep cost from the North, "the majority of Northerners will decide that going on with the war is not worth the financial and human cost and so will replace Lincoln and the Republicans with a Democratic president and Congress committed to stopping hostilities and instituting peace negotiations." He cites the resolution of the Confederate Congress that: "Brave and learned men in the North have spoken out against the usurpations and cruelties daily practiced. The success of these men over the radical and despotic faction which now rules the North may open the way to...a cessation of this bloody and unnecessary war." *Plus ça change....*

The administrations of George W. Bush have virtually assured such a displacement by catastrophically throwing the country off balance, both politically and financially, while breaking the nation's sword in an inconclusive seven-year struggle against a ragtag enemy in two small bankrupt states. Their one great accomplishment—no subsequent attacks on American soil thus far—has been offset by the stunningly incompetent prosecution of the war. It could be no other way, with war aims that inexplicably danced up and down the scale, from "ending tyranny in the world," to re-forging in a matter of months (with 130,000 troops) the political culture of the Arabs, to establishing a democracy in Iraq, to only reducing violence, to merely holding on in our cantonments until we withdraw.

This confusion has come at the price of transforming the military into a light and hollow semi-gendarmerie focused on irregular warfare and ill-equipped to deter the development and resurgence of the conventional and strategic forces of China and Russia, while begging challenges from rivals or enemies no longer constrained by our former reserves of strength. For seven years we failed to devise effective policy or make intelligent arguments for policies that were worth pursuing. Thus we capriciously forfeited the domestic and international political equilibrium without which alliances break apart and wars are seldom won.

The pity is that the war could have been successful and this equilibrium sustained had we struck immediately, preserving the link with September 11; had we disciplined our objective to forcing upon regimes that nurture terrorism the choice of routing it out with their ruthless secret services or suffering the destruction of the means to power for which they live; had we husbanded our forces in the highly developed military areas of northern Saudi Arabia after deposing Saddam Hussein, where as a fleet in being they would suffer no casualties and remain at the ready to reach Baghdad, Damascus, or Riyadh in three days; and had we taken strong and effective measures for our domestic protection while striving to stay within constitutional limits and eloquently explaining the necessity—as has always been the case in war—for sometimes exceeding them. Today's progressives apologize to the world for America's treatment of terrorists (not a single one of

whom has been executed). Franklin Roosevelt, when faced with German saboteurs (who had caused not a single casualty), had them electrocuted and buried in numbered graves next to a sewage plant.

THE COUNTERPART TO REPUBLICAN INCOMPETENCE HAS BEEN A Democratic opposition warped by sentiment. The deaths of thousands of Americans in attacks upon our embassies, warships, military barracks, civil aviation, capital, and largest city were not a criminal matter but an act of war made possible by governments and legions of enablers in the Arab world. Nothing short of war—although not the war we have waged—could have been sufficient in response. The opposition is embarrassed by patriotism and American self-interest, but above all it is blind to the gravity of the matter. Though scattered terrorists allied with militarily insignificant states are not, as some conservatives assert, closely analogous to Nazi Germany, the accessibility of nuclear, biological, and chemical weapons makes the destructive capacity of these antagonists unfortunately similar—a fact, especially in regard to Iran, that is persistently whistled away by the Left.

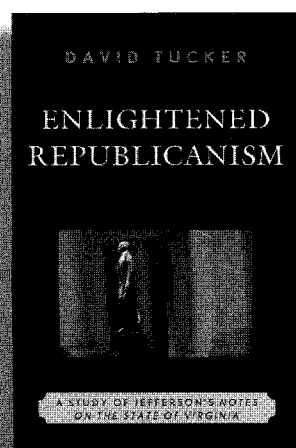
An existential threat of such magnitude cannot be averted by imagining that it is the work of one man and will disappear with his death; by mouse-folly pleasing the rest of the world; by hopefully excluding the tools of war; or by diplomacy without the potential of force, which is like a policeman without a gun, something that doesn't work anymore even in Britain. The Right should have labored to exhaustion to forge a coalition, and the Left should have been willing to proceed without one. The Right should have been more respectful of constitutional protections, and the Left should have joined in making temporary and clearly defined exceptions. In short, the Right should have had the wit to fight, and the Left should have had the will to fight.

Both failed. The country is exhausted, divided, and improperly protected, and will remain so if the new president and administration are merely another face of the same sterile duality. To avoid the costs of a stalled financial system, the two parties—after an entire day of reflection—committed to the expenditure of what with its trailing ends will probably be \$1.5 trillion in this fiscal year alone.

But the costs of not reacting to China's military expansion, which could lead to its hegemony in the Pacific; or of ignoring a Russian resurgence, which could result in a new Cold War and Russian domination of Europe; or of suffering a nuclear detonation in New York, Washington, or any other major American city, would be so great as to be, apparently, unimaginable to us now. Which is why, perhaps, we have not even begun to think about marshaling the resources, concentration, deliberation, risk, sacrifice, and compromise necessary to avert them. This is the great decision to which the West is completely blind, and for neglect of which it will in the future grieve exceedingly.

A version of this essay appeared in the Wall Street Journal.

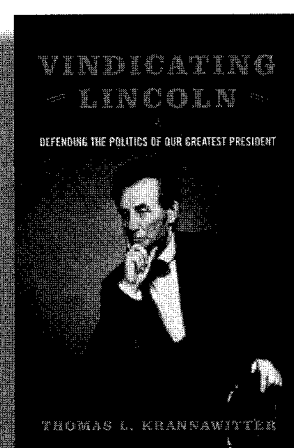
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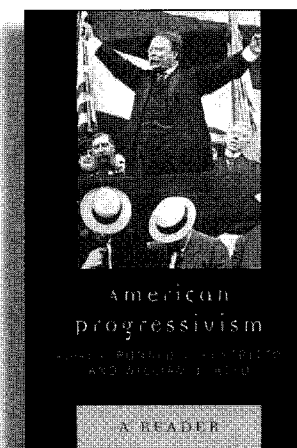
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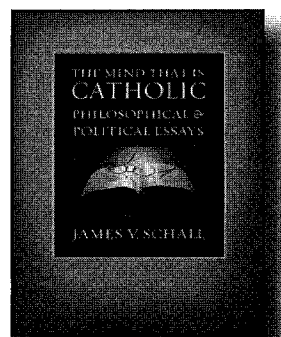
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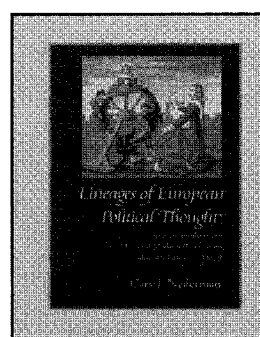
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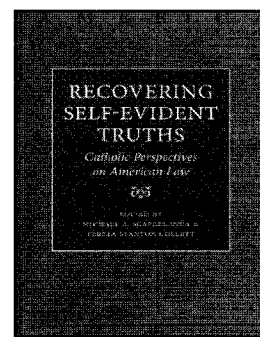
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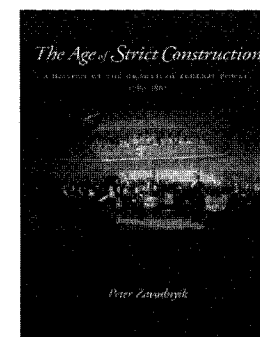
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Mark Helprin
"Decision in the West"

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